



**U.S. Department of Justice
Office of the Inspector General
Evaluation and Inspections Division**

**Coordination of Investigations by
Department of Justice
Violent Crime Task Forces**

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EXECUTIVE DIGEST

INTRODUCTION

The Department of Justice (Department) has been making increasing use of different types of task forces – teams of federal, state, and local law enforcement officers – to help tribal, state, and local governments reduce violent crime. At the end of fiscal year (FY) 2005, there were 84 cities with more than 1 violent crime task force operated by the Department and its components, up from 20 cities at the beginning of FY 2003. As the number of cities with multiple task forces has increased, concerns have also risen among Department officials, members of Congress, and local police chiefs that the Department’s task force investigations must be well coordinated to avoid duplication of effort.

In the Conference Report on the Department’s FY 2006 appropriations bill, the Appropriations Committees directed that the Office of the Inspector General (OIG) assess the coordination of investigations conducted by four types of Department violent crime task forces:¹

- Violent Crime Impact Teams (VCIT) – The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) had 22 Violent Crime Impact Teams operating in 22 cities. Violent Crime Impact Teams focus on reducing gun-related violent crime in targeted urban areas.
- Mobile Enforcement Teams (MET) – The Drug Enforcement Administration (DEA) had 22 Mobile Enforcement Teams operating in 21 DEA districts. Mobile Enforcement Teams focus on reducing drug-related violent crime in targeted neighborhoods.
- Safe Streets Task Forces (SSTF) – The Federal Bureau of Investigation (FBI) had 160 Safe Streets Task Forces in 138 cities. Safe Streets Task Forces focus on investigating violent crimes and apprehending violent fugitives.

¹ See House Report No. 109-272, at 66 (2005).

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- Regional Fugitive Task Forces (RFTF) – The U.S. Marshals Service (USMS) had 6 Regional Fugitive Task Forces operating in 23 federal judicial districts. Regional Fugitive Task Forces focus on apprehending violent federal and state fugitives.

During FYs 2003 through 2006, ATF, the DEA, the FBI, and the USMS operated 210 of these violent crime task forces in 256 cities.² The FBI operated 160 of these 210 violent crime task forces, and the FBI is the only component whose mission includes responsibility for investigating all types of violent crime and apprehending violent fugitives.

Our review assessed how well these four types of task forces coordinate their work, including whether the task forces conduct duplicate investigations, cooperate in joint investigations, and “deconflict” law enforcement events to avoid interfering with one another’s field operations and to ensure officer safety. In conducting this review, we interviewed officials from the Office of the Deputy Attorney General; ATF, DEA, FBI, and USMS managers at headquarters and in field offices; U.S. Attorney’s Office officials; Special Agents and Deputy Marshals; and state and local law enforcement officials.

To evaluate the coordination of task force investigations in the field, we visited eight cities with multiple Department task forces in different regions of the country (Table 1). The cities we visited were Los Angeles, California; Las Vegas, Nevada; Chicago, Illinois; Gary, Indiana; Philadelphia, Pennsylvania; Camden, New Jersey; Atlanta, Georgia; and Birmingham, Alabama.³ To identify instances of cooperation or duplications of effort among the task forces, we also examined data on all arrests reported by the task forces during FYs 2003 through 2005.

² The 256 cities include the cities to which a DEA Mobile Enforcement Team deployed and the cities in the federal judicial districts in which a USMS Regional Fugitive Task Force operates. See Appendix I for the locations of the task forces as of September 30, 2005.

³ Each site visit included interviews with law enforcement officials from surrounding jurisdictions. In all, we met with state and local law enforcement officers from 28 jurisdictions.

Table 1: Task Forces in the Eight Cities Visited During FY 2006

CITIES	ATF Violent Crime Impact Team	DEA Mobile Enforcement Team	FBI Safe Streets Task Force	USMS Regional Fugitive Task Force
Atlanta, GA	✓	✓	✓	✓
Birmingham, AL	Planned		✓	✓
Camden, NJ	✓	✓	✓	✓
Chicago, IL		✓	✓	✓
Gary, IN		✓	✓	✓
Las Vegas, NV	✓	✓	✓	✓
Los Angeles, CA	✓	✓	✓	✓
Philadelphia, PA	✓	✓	✓	

RESULTS IN BRIEF

Our review found that the Department’s coordination of its task force investigations is not fully effective at preventing duplication of effort. In FY 2005, there were 84 cities with 2 or more violent crime task forces operated by ATF, the DEA, the FBI, and the USMS. Although the missions of these task forces overlap, with the exception of anti-gang task forces, the Department does not require the components to coordinate operations or investigations, cooperate in joint investigations, or deconflict law enforcement events conducted by their violent crime task forces.

In August 2005, the Department issued a policy requiring the components to obtain the Deputy Attorney General’s approval to conduct anti-gang programs and activities in new locations. However, even after August 2005 coordination issues occurred related to anti-gang task force activities in at least three cities. The issues arose when the FBI approached local law enforcement officials in three cities about providing local officers to participate in new or revitalized FBI Violent Gang Safe Streets Task Forces. Each of these instances resulted in either the U.S. Attorney or the local Chief of Police expressing concern about the coordination of task force activities.

To improve coordination of the Department’s anti-gang activities, in June 2006 the Office of the Deputy Attorney General established a detailed application process for new anti-gang activities requiring support from and a recommendation by the U.S. Attorney for the

jurisdiction in which any new anti-gang task forces would operate. On March 23, 2007, the Associate Deputy Attorney General responsible for task force coordination reported that, "Since those procedures have been in place, the Department of Justice components have exhibited 100% compliance with the policies on new anti-gang task forces and all new anti-gang task forces have been subject to review by the Anti-Gang Coordination Committee and approval by the Deputy Attorney General."

However, outside of anti-gang activities, there are still no Department policies requiring the coordination of the operations of other violent crime task forces. As a result of the lack of Department-level policies requiring coordination, the components' coordination of task force investigations is inadequate. Some components have nation-wide policies that require coordination of task force operations. ATF, DEA, and USMS headquarters managers entered into Memorandums of Understanding that require their task forces to coordinate their operations. In contrast, the FBI's policy, issued in 1993, describes the coordination of investigations by multi-jurisdictional FBI Safe Streets Task Forces made up of federal, state, and local agencies. The FBI policy requires that proposals for new FBI Safe Streets Task Forces list other law enforcement agencies in the area with which the new FBI Safe Streets Task Force would have to coordinate. The FBI policy does not address coordination of existing task forces, FBI coordination with new task forces created by the other Department components, or FBI participation in or coordination of investigations with violent crime task forces led by other Department components.

Our analysis of nation-wide task force arrest data also indicated that the components' coordination of task force investigations is uneven. The components' arrest data from FYs 2003 through 2005 included 1,288 arrests that were reported by more than one task force. Based on the components' descriptions of the circumstances surrounding each arrest, we concluded that 768 of those arrests resulted from duplicate investigations by 2 task forces, while only 520 resulted from joint task force investigations.

Task force operations in some cities we visited are better coordinated because the U.S. Attorneys and local task force managers have local policies on coordination and use information-sharing systems to coordinate task force operations in their jurisdictions. In other cities, task forces do not have coordination policies, do not use information-sharing systems, or operate as independent entities rather than as part

of a coordinated Department approach for combating violent crime. Task force operations in these cities were less coordinated, and we found more instances in which the task forces conducted duplicate investigations. We also found that failures to coordinate task force investigations resulted in three “blue-on-blue” incidents – incidents in which the failure to deconflict events resulted in task force members being misidentified as criminals by members of other task forces.

In the sections that follow, we summarize our specific findings regarding the Department’s and the components’ efforts to coordinate violent crime task force investigations. We then summarize our observations of components’ coordination of operations at the task force level, the investigation level, and the law enforcement event level. In the final section, we summarize the combined coordination efforts of the components and the U.S. Attorneys in each of the eight cities we visited.

Department Coordination

Overall, we found that the Department does not adequately coordinate the operations of task forces, particularly when creating new task forces in jurisdictions in which other task forces are already operating. For example, when Congress directed the Department to create USMS Regional Fugitive Task Forces beginning in FY 2001, the Department did not coordinate them with or evaluate the missions of 40 other violent crime task forces that were already operational in the same geographic areas. The 40 existing task forces included 6 FBI Safe Streets Task Forces with fugitive apprehension responsibilities. The congressionally defined mission of the newer USMS Regional Fugitive Task Forces overlaps with the mission of the six existing FBI Safe Streets Task Forces with fugitive apprehension responsibilities.

Similarly, when the Department began establishing ATF Violent Crime Impact Teams in 2004, it did not evaluate potential operational overlaps when locating these ATF task forces in cities where DEA and FBI task forces with similar missions were already operating. For example, the Department created a new ATF Violent Crime Impact Team with a gang focus in one city with an established FBI Violent Gang Safe Streets Task Force. The ATF Special Agent in Charge in that city acknowledged to the OIG that there was potential for investigations to overlap with the FBI’s. Similarly, an FBI Supervisory Special Agent stated, “I am truly concerned that we are seriously going to be duplicating [each other’s investigations of] gangs.”

In May 2005, to ensure coordination of Department anti-gang efforts, the Attorney General created the Anti-Gang Coordination Committee. Further, in June 2005, the Deputy Attorney General established a policy that in areas with multiple anti-gang task forces, all such task forces and initiatives shall be co-located to ensure coordination, intelligence sharing, and target deconfliction. Where co-location is not feasible, the district's Anti-Gang Coordinator is required to establish a formal mechanism for coordinating anti-gang activities that includes regular meetings of the federal, state, and local law enforcement agencies involved in anti-gang investigations.

In August 2005, the Deputy Attorney General expanded Department policy to include the creation of new anti-gang task forces and the conduct of new anti-gang activities. The August 2005 policy requires that new anti-gang activities and programs, such as new Violent Crime Impact Teams and Safe Streets Task Forces, be established only after review by the Anti-Gang Coordination Committee and approval by the Deputy Attorney General. In June 2006, the Office of the Deputy Attorney General established a detailed process, provided application materials, and directed the components to follow the application process when proposing new anti-gang task forces. This process requires the components to first submit plans for new anti-gang task forces to the ATF, DEA, and FBI Special Agents in Charge; the U.S. Marshals; and the U.S. Attorneys in the proposed geographic areas of responsibility. Only then can plans for a new anti-gang task force be submitted for review by the Anti-Gang Coordination Committee.

We believe that the Deputy Attorney General's August 2005 anti-gang policy and detailed related guidance issued in June 2006 are positive steps that will improve the coordination of anti-gang task force activities in the Department and help reduce competition among components' gang task forces for participation by local law enforcement officers. However, we believe that guidance is still needed to address a larger problem with competition for resources among other violent crime task forces. Several Special Agents in Charge, U.S. Marshals, and task force managers explained that the components compete for local task force members because the participation of local officers is critical to the success of their task forces. As a result, ATF, the DEA, the FBI, and the USMS try to encourage local law enforcement agencies to participate by offering significant financial and training incentives. ATF and DEA Special Agents and USMS Deputy Marshals responsible for task force operations told us that their components coordinated their task forces'

requests for local officers, but that the FBI cannot always be relied upon to do so. In response to this criticism, FBI headquarters managers pointed out that the Director's November 16, 1993, memorandum establishing the FBI's national gang strategy states that FBI "field offices will ensure that all [f]ederal, state, and local law enforcement agencies are provided the opportunity to participate and contribute to this [the FBI's] investigative effort." An FBI Safe Streets Task Force headquarters manager also pointed out that, "It's the responsibility of the [Special Agents in Charge] in the field to always be coordinating, somehow, somehow."

Component Coordination

We found that the components' coordination of task force operations is uneven. The DEA is the only component that has instituted nation-wide policies on coordinating new task force operations. DEA task force managers are required by DEA policy to coordinate Mobile Enforcement Team operations with other Department components. DEA task force managers told us that, because Mobile Enforcement Teams conduct extensive undercover operations in specific geographic areas, it is important for the other law enforcement components to be aware of proposed DEA operations. DEA task force managers were generally effective in coordinating Mobile Enforcement Team deployments, but coordination issues surrounding the 2005 deployment of a Mobile Enforcement Team in one city created tensions among the federal law enforcement components in that city.

The DEA also has a nation-wide policy requiring its task forces to avoid duplicate investigations and to deconflict events. However, we found that deconfliction of task force events was uneven because the other components did not have national policies. For example, High Intensity Drug Trafficking Area (HIDTA) information-sharing systems, which can be used to avoid duplicate investigations and to deconflict events, are available in seven of the eight cities we visited.⁴ In accordance with policy, the DEA task forces use the HIDTA systems to avoid duplicate investigations and to deconflict events. In six cities, the local HIDTA system is also used by ATF and FBI task forces to identify

⁴ The HIDTA program was created to coordinate efforts by local, state, and federal law enforcement in specific geographic areas to combat drug-related violent crime. The program also operates information-sharing systems, some of which have expanded from drug-related violent crimes to all types of violent crime.

suspects under investigation by the various task forces. However, no nation-wide ATF or FBI policy requires the use of HIDTA or other local information-sharing systems to avoid duplicate investigations or deconflict events.

We found similar gaps in the coordination of fugitive investigations. To coordinate the operations of USMS Regional Fugitive Task Forces, the USMS negotiated agreements with ATF and the DEA to conduct those components' fugitive investigations. However, the FBI and the USMS have not reached a similar agreement. Instead, under a 1988 Attorney General memorandum on fugitive apprehensions, the FBI pursues federal fugitives on warrants that the FBI obtains, and the USMS has primary responsibility for the apprehension of all other federal fugitives.

We found that the FBI and the USMS fugitive apprehension efforts are better coordinated when the FBI obtains federal Unlawful Flight to Avoid Prosecution warrants. These warrants are recorded in the federal Warrant Information Network, allowing USMS Deputy Marshals to coordinate their fugitive investigations. However, FBI Safe Streets Task Forces often assist state and local law enforcement in their fugitive investigations without first obtaining a federal Unlawful Flight to Avoid Prosecution warrant. This sometimes has led to duplicate fugitive investigations conducted by USMS and FBI task forces. We found that in three cities where FBI Safe Streets Task Forces do not always obtain federal Unlawful Flight to Avoid Prosecution warrants, they conducted investigations on fugitives who were also the subjects of ongoing USMS fugitive investigations. These duplicate fugitive investigations can create a risk to officer safety.

Our analysis of nation-wide task force arrest data also indicates that the components' coordination of task force investigations is uneven. Of the 97,228 arrests the components' task forces made from FYs 2003 through 2005, we found that 1,288 had been reported by more than one task force.⁵ While this number is small, it represents significant efforts by two task forces all the way up to arrest. Accordingly, we asked the

⁵ While our analysis identified a total of 1,949 arrests in which more than 1 component reported arresting the same individual, we excluded 661 of those arrests after determining that coordination had not been needed. This included 277 instances in which two components' task forces arrested the same individual at different times for different reasons and 384 instances in which the component concluded that the reporting of the arrest to the OIG resulted from a recordkeeping error.

components to review their files and describe their coordination efforts and the circumstances of these arrests. On the basis of the information the components provided, we found that the components conducted 768 duplicate investigations (60 percent) and cooperated in 520 joint investigations (40 percent). The OIG also requested information from the components on individuals under investigation by the task forces during FYs 2003 through 2005. However, we found that the data provided by the components was not sufficient to enable us to reliably identify duplicate investigations that did not result in an arrest or in which the arrest was reported by only one of the components that had investigated the subject. Nonetheless, our analysis of arrests that were reported by more than one component demonstrated that the task forces were more likely to duplicate another task force's investigation than to cooperate in a joint investigation.

Task Force Coordination

The level of coordination of task force investigations across the country is also uneven. U.S. Attorneys and task force managers in some cities have developed local policies and use information-sharing systems to coordinate task force operations. In other cities, task forces do not have local policies, do not use information-sharing systems, and operate as independent entities rather than as part of a coordinated Department effort.

We examined task force efforts at the three operational levels where specific actions are required for coordination: the task force level, the investigation level, and the event level. At the task force level, we examined whether target areas and operations were managed so that task forces had well-defined areas of responsibility. At the investigation level, we examined whether task force members cooperated during individual investigations to avoid duplication of effort and whether they conducted joint investigations. At the event level, we examined whether task force members deconflicted specific events – such as undercover operations, surveillance, or execution of a search warrant or arrest warrant – during task force investigations to avoid interfering with each other and to protect officer safety.

Within each of the three operational levels, we identified critical factors that were important to coordination and noted the presence or absence of these factors in each of the eight cities we visited.

Management of Task Force Operations

We found the critical factor in task force management is whether the U.S. Attorney's Office oversees the coordination of task force operations. U.S. Attorneys are the chief federal law enforcement officers in each federal judicial district and, therefore, along with the components' task force managers, have a responsibility for coordinating the four types of violent crime task forces. In four of the eight cities we visited, task force operations are not well coordinated by U.S. Attorneys and component task force managers. In Atlanta, Birmingham, Las Vegas, and Los Angeles, the U.S. Attorneys' Offices do not actively coordinate task force operations. Instead, the components manage task force investigations independently and attempt to resolve duplication of effort through information-sharing systems or word of mouth.

In contrast, the U.S. Attorneys' Offices in the other four cities we visited actively coordinate task force operations by conducting regular meetings at which the task forces assume responsibility for specific investigations or by assigning Assistant U.S. Attorneys to task forces to provide oversight and coordination. For example, in Philadelphia, ATF, DEA, FBI, and Philadelphia Police Department task force members coordinate their operations and investigations of selected violent crimes, firearms, and narcotics cases in the six Philadelphia Police Department detective divisions in monthly meetings sponsored by the U.S. Attorney and the Philadelphia Police Commissioner. The U.S. Attorney's Offices in Camden and Chicago also direct task force operations in their areas by assigning specific investigations of violent or gang crimes to the task forces at regular meetings. In Gary, the U.S. Attorney's Office uses a different coordination technique in which Assistant U.S. Attorneys work directly with each task force and among themselves to coordinate task force operations. Task force managers in Philadelphia, Camden, Chicago, and Gary told us that the involvement of the U.S. Attorney's Office contributes greatly to the coordination of violent crime task force operations.

Similarly, under the leadership of the U.S. Attorneys, FBI and USMS task force managers in Camden and Gary negotiated informal agreements and use these agreements to coordinate local task force fugitive investigations. Task force fugitive investigations were well coordinated in only these two of the eight cities we visited. In contrast, FBI and USMS task forces in the other six cities did not coordinate

fugitive operations, and we found that they sometimes duplicated one another's efforts in those six cities.

Cooperation on Investigations by Task Forces

The critical factor in achieving cooperation on individual task force investigations is the use of information-sharing systems. While we recognize that it is more difficult to cooperate using the small amounts of information available on particular suspects early in investigations, we found that some task forces used information-sharing systems to identify opportunities to cooperate with other task forces.

DEA task force members routinely enter data into information-sharing systems in seven of the eight cities we visited. ATF, FBI, and USMS task force members do not consistently use information-sharing systems, even in locations that have policies requiring their use. These failures result in duplicate investigations involving the same suspect by different task forces. During our visits to the 8 cities, 128 task force members told us of at least 45 duplicate investigations.

The most common type of information-sharing system used in the eight cities is a local HIDTA system. In three of the eight cities, all four components' task force members use the local HIDTA system to identify suspects being investigated by various task forces, thereby allowing them to avoid duplicate investigations. In Birmingham, Philadelphia, and Las Vegas, members of the FBI Safe Streets Task Force responsible for fugitive apprehensions do not use the HIDTA system to coordinate investigations. The USMS Regional Fugitive Task Force members use the HIDTA system in only three cities.

The policies requiring coordination of investigations, particularly through the use of the HIDTA information-sharing systems, are different for every component. The components do not have nation-wide policies requiring the use of the HIDTA or any other information-sharing system. Although the DEA has a nation-wide policy that requires the coordination of investigations, it has only local policies requiring the use of HIDTA systems for that purpose. ATF and the FBI have local policies requiring the use of the HIDTA system in five cities each (although not the same five cities), and the USMS has a local policy in four cities. Except for the HIDTA systems, we saw no other information-sharing system being used by two or more task forces in any of the eight cities we visited.

We also found that the Department’s four types of violent crime task forces rarely conduct joint investigations. When two task forces identify a common interest in a suspect, one task force usually stops its investigation. During our site visits, the 128 task force members we interviewed reported 10 examples of joint investigations. The task forces rarely conducted joint investigations even in instances where they worked on similar investigations involving the same suspect. For example, the USMS and FBI task forces that conduct fugitive investigations cooperated with one another in joint investigations in only one of the eight cities we visited. When we asked why task force members did not conduct more joint investigations, the most commonly cited reasons were a lack of trust regarding sharing law enforcement sensitive information (such as the names of confidential informants), potential interference with other investigations, and protection of “turf” from other task forces with overlapping areas of responsibility. Task force managers also pointed out that their task forces are conducting investigations within their particular mission the majority of the time.

Although we did not find that the components often worked together on joint investigations, when they did, we found examples of coordination that proved useful:

- In Camden, the ATF Violent Crime Impact Team and the DEA Mobile Enforcement Team cooperated in joint investigations. The ATF Violent Crime Impact Team Special Agent working with the DEA’s Mobile Enforcement Team was able to use the threat of prosecution on federal gun charges to facilitate investigations, while the DEA Mobile Enforcement Team Special Agent working with ATF’s Violent Crime Impact Team was able to provide critical information to an ongoing investigation. In addition to exchanging Special Agents and sharing information, the two task forces provided resources and personnel for each other’s specific investigations and operations.
- In Gary, a fugitive was wanted by the FBI because he was suspected of shooting an Indianapolis police officer. The FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force planned a joint investigation and worked together to complement one another’s efforts. The fugitive was arrested in East Chicago, Indiana, and the Chief of Police praised the cooperation between the FBI and the USMS.

However, even decisions to conduct joint investigations did not always lead to full cooperation. In Chicago, for instance, FBI Special Agents and USMS Deputy Marshals participated in a joint FBI-USMS murder investigation in which the USMS Regional Fugitive Task Force and the USMS Electronic Surveillance Unit were supporting the investigation with electronic surveillance. The supervisor of the USMS Electronic Surveillance Unit stated that he and the FBI supervisor coordinated their efforts but that USMS Deputy Marshals reported that FBI Special Agents working in the field refused to share information during the investigation. FBI task force managers stated to the OIG that the FBI only participates in a joint investigation as the overall lead agency. They also stated that because the FBI is the lead agency, FBI Special Agents share information in accordance with FBI policy.

Event Deconfliction During Task Force Investigations

We believe that the critical factor in event deconfliction is task force compliance with policies mandating the use of a common deconfliction system for every event. Event deconfliction alerts task force members that a law enforcement operation they are planning – such as an undercover operation, surveillance, or execution of a search warrant or arrest warrant – may conflict with another operation planned by another law enforcement agency at the same place and time. Unless all law enforcement agencies operating in a geographic area notify one another by telephone, radio, or through an information-sharing system of their planned events, officer safety can be put at risk.

In all eight cities we visited, DEA task force members deconflict events as required by DEA national policy. ATF task force members also deconflict planned events in all eight cities, although deconfliction is required by local ATF policies in only four of the cities. USMS task force managers have established local policies to deconflict events in five cities we visited, and task force members comply with the policies in those cities. The FBI has local policies to deconflict events in three cities, but task force members consistently comply with the policy in only one city.

The gaps in the task forces' deconfliction efforts have led to incidents that put officers' safety at risk, including three blue-on-blue incidents:

- In Atlanta, a USMS Regional Fugitive Task Force member told us that he was conducting surveillance in a fugitive's neighborhood

when members of an FBI Safe Streets Task Force, who were also conducting surveillance, pulled him over because he was using a car similar to one associated with the fugitive. The USMS Regional Fugitive Task Force member stated that the FBI Safe Streets Task Force members ordered him to exit his car and identify himself. Neither the FBI nor the USMS requires its task force members to deconflict events, and neither of the task forces' members voluntarily deconflicted their surveillance.

- In Chicago, an ATF Assistant Special Agent in Charge stated that an ATF confidential informant and an undercover ATF Special Agent bought a loaded gun from an FBI Safe Streets Task Force confidential informant. After the buy was completed, the ATF undercover agent was arrested. A few weeks earlier, FBI Safe Streets Task Force members had checked for investigations that overlapped those involving the confidential informant, but had not deconflicted the planned gun sale.
- In Las Vegas, the ATF Resident Agent in Charge stated that ATF conducted an undercover firearms operation at a gun show and deconflicted through LA Clear, the HIDTA system that covers Las Vegas as well as Los Angeles County. LA Clear did not identify any potential conflicts. At the show, ATF arrested an individual who made an illegal gun purchase from an undercover ATF agent. The individual then claimed to be an FBI confidential informant working at the show on behalf of the FBI. According to ATF, despite numerous conversations between ATF and the FBI after the incident, the FBI refused to explain why FBI Special Agents had not deconflicted their undercover operation and refused to confirm or deny that the suspect was an FBI confidential informant. An FBI Supervisory Special Agent told us that all agencies are secretive about their confidential informants and that many suspects claim they are confidential informants when they are not.

We concluded that more consistent efforts by the task forces – particularly FBI task forces – to deconflict events are needed to ensure officer safety.

Coordination of Task Force Investigations in Eight Cities

In this section, we describe the coordination efforts of the components and the U.S. Attorneys in each of the eight cities we visited.

We describe the level of task force coordination in each city, in order of best coordinated city to least coordinated. In these descriptions, we present information on task force management, cooperation on investigations, and event deconfliction for each city.

Gary, Indiana

The three types of task forces that operate in Gary (DEA, FBI, and USMS) are well coordinated because of the emphasis placed on cooperation by the U.S. Attorney's Office and task force managers.⁶

- Task Force Management – The U.S. Attorney's Office has assigned one Assistant U.S. Attorney to work directly with each of the three task forces, and the three Assistant U.S. Attorneys exchange information to coordinate task force operations. Unlike in six of the other cities we visited, the FBI and the USMS in Gary have established a fugitive apprehension agreement, and task force members comply with the agreement.
- Cooperation on Investigations – Task force managers stated that local policies requiring the use of the HIDTA system to share information prevented duplicate investigations, although we were told of some overlapping investigations. Task force members do not often conduct joint investigations. For example, FBI Safe Streets Task Force members stated that they investigated firearms crimes discovered during ongoing FBI Safe Streets Task Force investigations rather than sharing information and working with the local ATF task force.
- Event Deconfliction – All task forces comply with local policies to use the local HIDTA system to deconflict events. Task force members told us there had been no blue-on-blue incidents.

⁶ Also in Gary, the ATF operates a violent crime task force but does not have a Violent Crime Impact Team.

Camden, New Jersey

All four types of task forces operate in Camden. We found that task force investigations are well coordinated.

- Task Force Management – Members of all four task forces attend monthly Weed and Seed meetings – sponsored by the U.S. Attorney’s Office, Camden County Prosecutor’s Office, and Camden Police Department – at which task force members exchange investigative information to coordinate operations.⁷ In Camden, the FBI and the USMS have an informal agreement that the USMS will take the lead on fugitive investigations, except for nation-wide FBI fugitive investigations based on federal Unlawful Flight to Avoid Prosecution warrants.
- Cooperation on Investigations – Members of all four task forces consistently use the local HIDTA system to share information and identify opportunities for joint investigations. The DEA does this to carry out DEA nation-wide policy. The other three components do not have national policies that require task force members to share information, but local task force managers nonetheless require their members to use the HIDTA system to routinely share information on individual investigations. We found several examples of joint investigations by the task forces in Camden. For example, ATF Violent Crime Impact Team and DEA Mobile Enforcement Team members conducted four joint investigations of suspects involved in both drug and gun crimes. The DEA Mobile Enforcement Team arrests provided evidence and investigative leads that the ATF Violent Crime Impact Team used to develop firearms cases. The ATF Violent Crime Impact Team made undercover gun purchases through two drug organizations, developing intelligence that benefited the DEA Mobile Enforcement Team.
- Event Deconfliction – Special Agents, Deputy Marshals, and local police officials told us that they use the local HIDTA system for event deconfliction. Task force members told us there had been no blue-on-blue incidents.

⁷ Weed and Seed is a Department-sponsored, multi-agency strategy devoted to crime prevention and community revitalization.

Philadelphia, Pennsylvania

The three types of task forces that operate in Philadelphia (ATF, DEA, and FBI) are generally well coordinated.⁸

- Task Force Management – Task force members coordinate their operations and assign investigations of homicides and aggravated assaults to the task forces best situated to investigate the crimes during weekly meetings sponsored by the U.S. Attorney and the Philadelphia Police Commissioner.
- Cooperation on Investigations – ATF, the DEA, and the FBI have local policies requiring the use of the HIDTA information-sharing system, but the USMS does not. Special Agents and Deputy Marshals said they cooperate during individual investigations, but they sometimes duplicated one another's efforts. For example, the ATF Violent Crime Impact Team and one FBI Safe Streets Task Force, which had overlapping gang investigations, shared information to facilitate gang investigations in Philadelphia's 12th Police District. In contrast, another FBI Safe Streets Task Force and the USMS District Fugitive Task Force, which both have fugitive apprehension responsibilities, reported several duplicate investigations.
- Event Deconfliction – Most of the task forces in Philadelphia have an event deconfliction policy that requires the use of the local HIDTA system. However, the FBI Safe Streets Task Force that focuses on fugitive investigations does not have a policy requiring the use of the HIDTA system and does not use the system to deconflict events. Instead, the FBI deconflicts through the Philadelphia Police Department, from whom the FBI receives its local fugitive cases. The FBI Violent Gang Safe Streets Task Force has a policy and uses the HIDTA system to deconflict events. Overall, most events are deconflicted by using the HIDTA system as local policy dictates, and task force members told us there had been no blue-on-blue incidents.

⁸ Also in Philadelphia, the USMS operates a District Fugitive Task Force, but does not have a Regional Fugitive Task Force.

Los Angeles, California

All four types of task forces operate in Los Angeles, and we found that coordination of task force investigations is mixed.

- Task Force Management – We found limited direction of task force operations and target areas by the U.S. Attorney’s Office in Los Angeles. Officials of the U.S. Attorney’s Office told us that they do not need to coordinate task force operations because the task forces all follow the locally agreed-upon policy that requires task forces to use LA Clear for all federal and local investigations. However, one FBI Safe Streets Task Force is not using LA Clear to share information. Yet, an Assistant U.S. Attorney told us that Los Angeles is so large and there is so much criminal activity that “overlaps never happen” and that the idea that there could be overlaps “is an absurd notion.”
- Cooperation on Investigations – Special Agents in Charge, the U.S. Marshal, and task force members stated that they worked collegially, shared information, and shared resources with other task forces. However, task force members do not often conduct joint investigations. Task force supervisors and members said that because Los Angeles and its gang problem are so large, each task force has more than enough work and the chance of overlapping investigations is small. Nonetheless, we found some duplication of effort.
- Event Deconfliction – Even though there are multiple task forces in Los Angeles – two FBI Safe Streets Task Forces, two DEA Mobile Enforcement Teams, a USMS Regional Fugitive Task Force, and an ATF Violent Crime Impact Team – the task forces’ members stated that because their task forces use LA Clear to deconflict events, there had been no blue-on-blue incidents in Los Angeles.

Chicago, Illinois

In Chicago, the DEA, FBI, and USMS operate three types of task forces.⁹ We found that while task force investigations related to gang crime are well coordinated, other types of task force investigations are not.

- Task Force Management – The U.S. Attorney’s Office sponsors monthly meetings to focus task force operations on the investigation of the “Top 20” gang members. Task force managers told us that these meetings contribute greatly to the coordination of anti-gang task force operations. ATF, DEA, and FBI task force managers told us that the components and task force members have developed close partnerships with the local police department and that the local police department serves as a coordinating mechanism for task force efforts. As a result of the “Top 20” meetings and the coordination efforts of the local police, we found little overlap in the anti-gang operations of federal task forces in Chicago. However, we found limited efforts to coordinate other violent crime task force operations.
- Cooperation on Investigations – Task force members stated that they are reluctant to work together in joint investigations, and they did not identify any examples of joint investigations. An ATF Supervisory Special Agent stated that his component “did not make a habit out of working with the other federal components.” An FBI Supervisory Special Agent stated, “If I can avoid it, I won’t work any joint investigations with other federal agencies.” The FBI Supervisory Special Agent went on to state that he believed his agency does “10 times a better job” than other components. USMS Regional Fugitive Task Force members admitted that there had been conflicts with the FBI in the past, but they believed that the problems were now “almost non-existent.” However, interviews with FBI Supervisory Special Agents indicated that problems still exist. An FBI Supervisory Special Agent stated that the creation of the USMS Regional Fugitive Task Force had caused “nothing but problems.”

⁹ Also in Chicago, the ATF operates a violent crime task force but does not have a Violent Crime Impact Team.

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- Event Deconfliction – Task force members do not consistently deconflict task force events, despite policies requiring them to do so. Task force members working on gang-related investigations deconflict events, while task force members working on other types of investigations, such as fugitive investigations, do not. An FBI Supervisory Special Agent stated that, despite a local FBI policy requiring deconfliction using the HIDTA system, his task force does not use the system because of the possibility that the case will be stolen. As a result, there was one blue-on-blue incident (described on page xiv). ATF and FBI Special Agents and local officers stated that the blue-on-blue incident showed the need for improved coordination and deconfliction, and an FBI Supervisory Special Agent told us that the FBI strengthened its policy to require deconfliction and reiterated the need for deconfliction to all task force members “to avoid a similar mistake.”

Las Vegas, Nevada

All four types of task forces operate in Las Vegas. Task force investigations, particularly fugitive investigations, are not well coordinated.

- Task Force Management – Although the task forces in Las Vegas have overlapping gang missions, the U.S. Attorney’s Office does not coordinate task force operations and instead resolves disputes on an ad hoc basis. For example, when the ATF Violent Crime Impact Team and the FBI Violent Gang Safe Streets Task Force duplicated efforts during gang crime investigations, the U.S. Attorney’s Office decided which investigation had the best chance of getting a conviction and asked that component to take the lead. FBI Special Agents and USMS Deputy Marshals recognized the duplication of effort in fugitive investigations and acknowledged to us that tensions exist between the two components. In addition, the Clark County Sheriff, local police supervisors, and the HIDTA Executive Director stated that the federal fugitive and anti-gang task forces’ operations overlap, which creates a coordination problem.¹⁰
- Cooperation on Investigations – The cooperation on task force investigations in Las Vegas is poor, and task force managers and

¹⁰ The Clark County Sheriff heads the Las Vegas Metropolitan Police Department, which is a joint city and county police force.

members provided several examples of failures to cooperate. ATF, DEA, and FBI Special Agents do not regularly share information on specific suspects under investigation and do not conduct joint investigations. The DEA specifically declines to work with the FBI Safe Streets Task Force because of tensions between the two agencies over previous investigations and disputes regarding the operation of a local intelligence center. However, DEA headquarters reported that the strained relationship in Las Vegas did not directly involve DEA Mobile Enforcement Team operations and that the cooperation level between the FBI and the DEA in Las Vegas is improving. We also found open hostility between FBI and USMS fugitive task force members, with both conducting investigations of fugitives wanted on state warrants only. The HIDTA Executive Director noted the animosity between members of the USMS and FBI task forces and stated that “something must be done to ensure officer safety.”

- Event Deconfliction – ATF, DEA, and USMS task force members routinely use the local HIDTA system to deconflict events for all investigations, and members of the FBI Violent Gang Safe Streets Task Force use the local HIDTA system to deconflict events during their gang investigations. FBI Special Agents assigned to the Safe Streets Task Force Criminal Apprehension Team told the OIG that they do not use the HIDTA system for fugitive operations because fugitive operations “happen too fast.” Task force members also told us about one blue-on-blue incident in Las Vegas (described on page xiv).

Atlanta, Georgia

All four types of task forces operate in Atlanta. Overall, we found that task force investigations are not well coordinated in Atlanta.

- Task Force Management – We found limited direction of task force operations and target areas in Atlanta. The U.S. Attorney’s Office holds monthly meetings attended by representatives from all federal law enforcement agencies, as well as bimonthly law enforcement leadership meetings attended by ATF, DEA, and FBI Special Agents in Charge and representatives from the State Attorney General’s Office and the Georgia Bureau of Investigation. However, task force managers and Assistant U.S. Attorneys told us that task force operations are discussed at these meetings only in

general terms. Task force managers stated that the U.S. Attorney's Office does not have a significant role in the coordination of task force investigations.

- Cooperation on Investigations – Only ATF has a local policy to coordinate investigations, but all of the components said they attempt to coordinate through word of mouth. Cooperative efforts are limited because the local Atlanta HIDTA does not have the capability to support information sharing to avoid duplicate investigations of the same suspect. A HIDTA official reported that he had proposed expanding the HIDTA's deconfliction capability to include an information-sharing system to help avoid duplicate investigations. However, the FBI declined to participate, and because the HIDTA's operations require consensus by all law enforcement agencies involved, the proposal was not implemented.
- Event Deconfliction – A DEA national policy and an FBI local policy require those components' task forces to deconflict drug-related events. However, neither ATF nor the USMS has a policy requiring its task forces to deconflict events in Atlanta. FBI and USMS task force managers stated that overlapping fugitive operations among the FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force created a coordination problem resulting in the blue-on-blue incident described on page xiv.

Birmingham, Alabama

In Birmingham, the FBI and USMS have task forces in operation, and two more task forces were planned – an ATF Violent Crime Impact Team and an FBI Violent Gang Safe Streets Task Force. We found that task force investigations in Birmingham are the least well coordinated of any city we visited.

- Task Force Management – We found limited direction of task force operations and target areas in Birmingham. The U.S. Attorney's Office sponsors only two meetings a year to set priorities and coordinate investigations that could overlap with Organized Crime Drug Enforcement Task Force (OCDETF) investigations.¹¹ In

¹¹ OCDETF is a federal drug enforcement program that focuses resources on the disruption and dismantling of major drug trafficking organizations.

addition, the FBI and the USMS do not work together when establishing agreements with local law enforcement agencies regarding assistance with fugitive investigations. Instead, the FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force have separate cooperative agreements with the police departments in Birmingham and the adjacent suburb of Hoover. At the time of our visit, ATF and the FBI had proposed anti-gang task forces in the same precincts, but were not coordinating to ensure the task forces do not overlap.

- Cooperation on Investigations – Although there is a local HIDTA system in Birmingham, task force members do not routinely use it to share information or identify opportunities for joint investigations. Because the FBI and the USMS did not cooperate in establishing the fugitive task force agreements described above, when a fugitive flees from Birmingham to Hoover, or vice versa, the fugitive task force responsible for assisting local law enforcement changes. The U.S. Marshal and the Hoover Chief of Police told us that this arrangement made fugitive investigations more difficult.
- Event Deconfliction – Only the DEA has an event deconfliction policy in Birmingham. The local DEA policy mandates the use of the HIDTA information-sharing system; however, the DEA is the only component whose task forces use the local HIDTA system. The other task forces deconflict operations by calling the local police departments individually. One DEA task force officer explained that to deconflict a reverse buy, he had to make 10 phone calls.¹² The USMS Regional Fugitive Task Force’s members stated that they deconflict events by running a warrant check and then calling the other components and local law enforcement to alert them to upcoming operations. There were no reported blue-on-blue incidents in Birmingham.

CONCLUSION AND RECOMMENDATIONS

The Department has operated 2 or more violent crime task forces with overlapping missions in at least 84 cities without requiring the components to coordinate task force operations, cooperate during investigations, or deconflict events. In August 2005, the Department

¹² In a “reverse buy,” an undercover law enforcement officer acts as the seller of drugs or firearms to apprehend suspected drug or firearm traffickers.

issued a policy requiring the components to obtain the Deputy Attorney General's approval to conduct anti-gang programs and activities in new locations. To implement the 2005 policy, in June 2006 the Office of the Deputy Attorney General established a detailed application process for new anti-gang activities requiring support from and a recommendation by the U.S. Attorney for the jurisdiction in which any new anti-gang task forces would operate.

However, outside of anti-gang activities, there are still no Department policies requiring the coordination of the operations of other violent crime task forces. As a result, we found inconsistent and inadequate cooperation and deconfliction among the Department's violent crime task forces we reviewed. U.S. Attorneys and component task force managers in four of the eight cities we visited do not actively coordinate task force operations. In some cities, task forces fail to use information-sharing systems and, as a result, conduct duplicate investigations. Interviews with Special Agents and Deputy Marshals in six of the eight cities as well as our review of the nation-wide data showed that task forces do not often cooperate in joint investigations. While task force members generally deconflict specific events during investigations, we learned of three serious blue-on-blue incidents that demonstrated the need to improve deconfliction efforts to ensure officer safety.

Our analysis of nation-wide task force arrest data also indicated that the components' coordination of task force investigations was limited. We found 1,288 arrests had been reported by more than one task force from FYs 2003 through 2005. Only 520 of these arrests resulted from joint investigations, while 768 resulted from duplicate investigations by two task forces.

We believe that the Department should establish policies governing the coordination of all task forces and their operations. Specifically, we recommend that the Department:

1. Require that the U.S. Attorney's Office and the components' task force managers in each jurisdiction with multiple violent crime task forces implement guidance for coordinating task force operations.

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2. Require each component to use national and local information-sharing and deconfliction systems to coordinate investigations and protect officer safety.
 3. Require the components to submit all proposed violent crime or fugitive task forces to an assessment and approval process similar to that used by the Anti-Gang Coordination Committee.
 4. Require each component to examine compliance with Department and component policies on task force coordination during periodic internal management reviews.

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BACKGROUND

The Department of Justice (Department) has been making increasing use of different types of task forces – teams of federal, state, and local law enforcement officers – to help tribal, state, and local governments combat violent crime. In this review of the coordination of investigations conducted by four types of Department violent crime task forces, the Office of the Inspector General (OIG) assesses whether the task force operations are well coordinated to avoid duplication of effort and protect officer safety.

This Background Section provides an overview of the Department’s creation of task forces, the Department’s efforts to coordinate task force operations, the task forces we reviewed, and the use of information-sharing systems to coordinate investigations and deconflict law enforcement events, such as undercover operations, surveillance, or execution of arrest warrants.

Table 2 lists various task force initiatives by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); the Drug Enforcement Administration (DEA); the Federal Bureau of Investigation (FBI); the U.S. Marshals Service (USMS); and the U.S. Attorneys’ Offices (USAO).

Table 2: Department of Justice (DOJ) Task Force Initiatives

PROGRAM	CREATED	AGENCY	PURPOSE
State and Local Task Forces	1978	DEA	Target mid- to upper-level drug trafficking using a high degree of local law enforcement participation and leadership
Organized Crime Drug Enforcement Task Forces	1982	DOJ	Target high-level drug traffickers and money laundering organizations through individual case collaboration and funding
District Fugitive Task Forces	1983	USMS	Target fugitives by combining the resources of USMS district offices with other federal, state, and local agencies
Project Achilles	1986	ATF	Target armed violent offenders through case selection and strict federal firearms penalties

PROGRAM	CREATED	AGENCY	PURPOSE
Weed and Seed	1991	DOJ	Target violent crime by combining neighborhood-targeted law enforcement with human services and economic development programs
Safe Streets Task Forces	1992	FBI	Target gangs, violent crime, and violent fugitives using teams of federal, state, and local law enforcement officers
Anti-Violent Crime Initiative	1994	USAO	Develop locally tailored anti-violent crime strategies that are implemented by federal, state, and local task forces
Mobile Enforcement Teams	1995	DEA	Provide short-term, collaborative assistance to communities that request DEA help to address drug-oriented violent crime
Regional Fugitive Task Forces	2000	USMS	Apprehend the most dangerous state and federal fugitives
Project Safe Neighborhoods	2001	USAO	Develop locally tailored gun crime reduction strategies that are implemented by local task forces composed of federal, state, and local prosecutors and law enforcement; the media; and community leaders
Violent Crime Impact Teams	2004	ATF	Target homicides and other firearms-related violent crime with locally tailored strategies

Department Efforts to Coordinate Task Forces

In 1995, the Department created the Task Force Working Group of the Department’s Office of Investigative Agency Policies (Task Force Working Group) in recognition that “the proliferation of task forces carries with it the risks of duplication of effort, inefficiency, and lack of coordination at the operational level.”¹³ The Task Force Working Group was responsible for establishing a coordination mechanism and developing guidelines to ensure that existing or proposed task forces within a U.S. Attorney’s district did not duplicate one another.

In 1996, the Task Force Working Group issued the final draft of the General Guidelines on the Operation of Multi-Agency Task Forces among Federal, State and Local Entities (Draft Guidelines). The Draft Guidelines would have required that the component proposing a task force submit a completed Task Force Information Form to the

¹³ See Office of Investigative Agency Policies, Resolution 15, October 30, 1995.

U.S. Attorney in the federal judicial district where the task force would be located. The Task Force Information Form would have listed the name of the task force, the task force's purpose, the component that would lead the task force, and other components that would participate. Under the proposed guidelines, a new task force would have needed written concurrence from the U.S. Attorney before it could begin operations.

In April 1998, the Director of the Office of Investigative Agency Policies advised the Attorney General that the Executive Advisory Board and the Executive Office for U.S. Attorneys believed that a detailed, uniform process to coordinate task force operations was not necessary and recommended that the Draft Guidelines not be issued. As a result, the Draft Guidelines were not implemented.

However, concerns regarding the coordination of task force investigations have continued to the present. In May 2005, the Attorney General created the Anti-Gang Coordination Committee to ensure the coordination of anti-gang efforts by the Department. This committee includes members from all Department components with anti-gang responsibilities, including ATF, the DEA, the FBI, and the USMS.

In an effort to ensure coordination, intelligence sharing, and event deconfliction among anti-gang task forces, in June 2005 the Deputy Attorney General directed components in federal judicial districts and cities with multiple anti-gang task forces to co-locate these task forces in a common facility. If co-location was not feasible, the district's Anti-Gang Coordinator (an Assistant U.S. Attorney designated by the U.S. Attorney) was to establish a formal mechanism for coordinating anti-gang activities.

In August 2005, the Deputy Attorney General expanded Department policy to include the creation of new anti-gang task forces and the conduct of new anti-gang activities. The policy requires that new anti-gang activities and programs, such as new ATF Violent Crime Impact Teams and FBI Safe Streets Task Forces, be established only after review by the Anti-Gang Coordination Committee and approval by the Deputy Attorney General. In June 2006, the Office of the Deputy Attorney General established a detailed process, provided application materials, and directed the components to follow the application process when proposing new anti-gang task forces. This process requires the components to first submit plans for new anti-gang task forces to ATF, DEA, and FBI Special Agents in Charge; the U.S. Marshals; and the U.S. Attorneys in the proposed geographic areas of responsibility. Only

then can plans for a new anti-gang task force be submitted for review by the Anti-Gang Coordination Committee.

As a result, Department components' field offices that are seeking to establish a new anti-gang task force must notify the U.S. Attorney for that district before filling out the task force application. The field office then completes a Gang Threat Assessment and presents the results to the U.S. Attorney for consideration. If the U.S. Attorney agrees that a new task force is needed, the field office completes the application by providing a more detailed description of the proposed task force, including mission, target area, and participating agencies. The field office must also obtain the concurrence of other federal, state, and local law enforcement agencies in the area. If a federal agency does not concur with the proposal, the U.S. Attorney can proceed without the concurrence of the dissenting agency or cease efforts to establish the new task force. The U.S. Attorney must concur with the final application and then forward the application to the Anti-Gang Coordination Committee for consideration.

Applications submitted to the Anti-Gang Coordination Committee are first reviewed by its Task Force Recommendation Subcommittee, which relies on violent crime statistics, input from local law enforcement agencies, and other information when recommending to the full Committee whether to grant or deny the application. Based on the Subcommittee's conclusions, the full Committee makes a formal recommendation to the Deputy Attorney General, who makes the final decision to grant or deny the application. Since the Anti-Gang Coordination Committee's inception, the Deputy Attorney General has approved three ATF Violent Crime Impact Teams, one ATF-led anti-gang task force, and eight FBI Safe Streets Task Forces. The Committee has denied one application by ATF for a Violent Crime Impact Team in Denver, Colorado.

Four Types of Violent Crime Task Forces

The Department has been making increasing use of four types of task forces. At the end of fiscal year (FY) 2005, 84 cities had more than 1 violent crime task force operated by the Department and its components, up from 20 cities at the beginning of FY 2003. At the beginning of FY 2006, Department components operated 210 of these 4 types of task forces:

-
- Violent Crime Impact Teams – ATF had 22 Violent Crime Impact Teams designed to reduce gun-related violent crime in 22 cities.¹⁴
 - Mobile Enforcement Teams – The DEA had 22 Mobile Enforcement Teams designed to reduce drug-related violent crime in target areas selected by the 21 DEA Field Offices.
 - Safe Streets Task Forces – The FBI had 160 Safe Streets Task Forces that focused on investigating violent crimes and apprehending violent fugitives in 138 cities.
 - Regional Fugitive Task Forces – The USMS had 6 Regional Fugitive Task Forces that focused on apprehending violent federal and state fugitives, including fugitives wanted by ATF and the DEA, in 23 federal judicial districts.¹⁵

Appendix I lists the locations of these task forces.

ATF Violent Crime Impact Teams

The Deputy Attorney General created ATF's Violent Crime Impact Teams in June 2004 as a pilot program designed to reduce homicides and other firearms-related violent crime in 15 cities.¹⁶ In December 2004, ATF extended the initiative indefinitely. At the beginning of FY 2006, there were ATF Violent Crime Impact Teams in 22 cities. The Office of the Deputy Attorney General and ATF selected the initial cities based on an examination of crime statistics, particularly homicide and other violent crime. Since August 2005, the Deputy Attorney General has required that the Anti-Gang Coordination Committee review plans for new ATF Violent Crime Impact Teams.

¹⁴ The OIG recently evaluated the Department's ATF Violent Crime Impact Team Initiative. See Department of Justice, Office of the Inspector General, *Review of the Bureau of Alcohol, Tobacco, Firearms and Explosives' Violent Crime Impact Team Initiative*, I-2006-005, May 2006.

¹⁵ The OIG has evaluated the performance of some USMS Regional Fugitive Task Forces. See Department of Justice, Office of the Inspector General, *Review of the United States Marshals Service's Apprehension of Violent Fugitives*, I-2005-008, July 2005.

¹⁶ 28 U.S.C. § 599A.

Several elements are meant to differentiate the ATF Violent Crime Impact Team initiative from standard ATF law enforcement operations. These elements include: (1) targeting specific geographic areas, such as neighborhoods or communities, with a high rate of firearms violence; (2) targeting the worst violent offenders in those areas; (3) building effective working relationships with community leaders; and (4) working in partnership with other Department components. The DEA, the FBI, the USMS, and the Executive Office for U.S. Attorneys agreed to provide assistance to ATF Violent Crime Impact Teams in each city, as resources allowed.

DEA Mobile Enforcement Teams

The DEA established the DEA Mobile Enforcement Team program in 1995 to help local law enforcement agencies, particularly in rural areas, confront drug trafficking problems that were beyond their immediate capabilities.¹⁷ Each of the DEA's 21 field divisions has a DEA Mobile Enforcement Team, consisting of approximately 10 DEA Special Agents and a supervisor.¹⁸ The DEA Mobile Enforcement Team can be deployed to any location within the field division's jurisdiction. Local law enforcement officials, including chiefs of police, sheriffs, district attorneys, and state attorneys, can submit a written request to the DEA for a DEA Mobile Enforcement Team deployment. DEA supervisors can also recommend deployments. DEA Mobile Enforcement Teams can be requested for many reasons, including budget limitations that make it difficult for local jurisdictions to conduct a comprehensive investigation of the targeted drug trafficking organization or the inability to conduct undercover operations because local drug dealers recognize the local jurisdiction's narcotics officers.

Prior to a deployment, DEA Mobile Enforcement Team Special Agents visit the proposed city to meet with local law enforcement officials, the nearest DEA field office, local prosecutors, and the U.S. Attorney's Office. This pre-deployment review determines the extent of violence in the community, ensures that there are clear ties between the violence and the targeted drug trafficking organization, and confirms that the problem is beyond the immediate capabilities of both the local law enforcement agencies and the nearest DEA field office. If the DEA Special Agents agree that a deployment is warranted, they submit a

¹⁷ 21 U.S.C. § 801 et seq.

¹⁸ The Los Angeles Field Division has two Mobile Enforcement Teams.

formal, intelligence-based assessment to DEA headquarters for approval and funding. During FYs 2003 through 2005, the DEA completed 110 DEA Mobile Enforcement Team deployments. The average deployment lasted 6.2 months.

FBI Safe Streets Task Forces

The FBI created the FBI Safe Streets Task Force program in 1992 to reduce violent crime associated with: (1) gangs whose activities constitute criminal enterprises; (2) fugitives; and (3) individuals who commit federal crimes such as bank robbery, kidnapping, or assaults on federal officers.¹⁹ There are three types of FBI Safe Streets Task Forces: Violent Gang, Violent Crime, and Major Theft. The mission of the FBI Violent Gang Safe Streets Task Forces is to reduce gang-related violence by targeting the most violent gangs whose activities constitute criminal enterprises. The FBI Violent Crime Safe Streets Task Forces focus on reducing violent crime associated with violent fugitives, bank robberies, and interstate commerce. The mission of the FBI Major Theft Safe Streets Task Forces is to reduce major thefts conducted by criminal enterprises whose targets include cargo, jewelry, and art that cross state or national boundaries. At the beginning of FY 2006, there were 160 FBI Safe Streets Task Forces. FBI Safe Streets Task Forces are primarily made up of FBI Special Agents and local law enforcement officers.

In 2004, FBI headquarters began requiring that FBI Special Agents in Charge of its field offices develop proposals for new FBI Violent Gang and Violent Crime Safe Streets Task Forces that FBI headquarters must approve before any new task forces are established. The proposals include an analysis of the crime problem within the FBI Safe Streets Task Force area; a list of the federal, state, and local agencies that would participate on the FBI Safe Streets Task Force; and a list of existing task forces in the area with which the new FBI Safe Streets Task Force would have to coordinate. Since August 2005, new FBI Violent Gang Safe Streets Task Force activities have also been subject to approval by the Deputy Attorney General.

¹⁹ 28 U.S.C. § 533.

USMS Regional Fugitive Task Forces

Congress created the USMS Regional Fugitive Task Forces through the Presidential Threat Protection Act of 2000.²⁰ Run by the USMS, their purpose is to apprehend the most dangerous fugitives by combining the efforts of federal, state, and local law enforcement personnel in two or more federal judicial districts. USMS Regional Fugitive Task Forces apprehend fugitives wanted on USMS warrants or warrants issued by any of the federal, state, and local law enforcement agencies with which the USMS has established a fugitive apprehension Memorandum of Understanding.

At the end of FY 2005, there were five USMS Regional Fugitive Task Forces covering the New York/New Jersey, Pacific Southwest, Great Lakes, Southeast, and Capital Area regions. In FY 2006, Congress created the Gulf Coast Regional Fugitive Task Force.

Information Sharing in High Intensity Drug Trafficking Areas

Of particular note to our review is the task forces' use of High Intensity Drug Trafficking Areas (HIDTA) information-sharing systems to coordinate investigations. In 1988, Congress authorized the Director of the White House's Office of National Drug Control Policy to designate HIDTAs within the United States. HIDTAs are cooperative efforts of the law enforcement community in particular areas that exhibit serious drug trafficking problems that harmfully affect other areas of the country. Each HIDTA is controlled by an Executive Board that is made up of officials from federal agencies and state or local agencies. Federal, state, and local law enforcement agencies use HIDTA funds for infrastructure and joint initiatives (including task forces) to combat drug trafficking organizations in specific geographic areas. Since 1990, 28 areas have been designated as HIDTAs.

The HIDTA Program also facilitates cooperation and coordination among federal, state, and local law enforcement agencies by funding information-sharing systems. Law enforcement agencies can use these systems to coordinate their drug-related violent crime investigations. Some HIDTAs have the capability to support information sharing on all violent crime investigations.

²⁰ Pub. L. 106-544 § 6.

Some HIDTAs' information-sharing systems include databases that allow law enforcement officers to search for a suspect by name, date of birth, or other identifiers to determine whether any other law enforcement agencies have expressed an interest in the same suspect. Generally, HIDTAs with suspect databases require law enforcement officers querying the database to record their interest in the suspect in the database in case other officers search for the same suspect later. A significant exception to the general practice is LA Clear, the Los Angeles and Las Vegas HIDTA information-sharing system. LA Clear permits law enforcement officers or Special Agents to make a suspect inquiry without submitting any information that would alert others that the inquiry was made.

Some HIDTAs' information-sharing systems also include event deconfliction databases that track the time and location of all law enforcement events, such as surveillance, warrant sweeps, buy-busts, and reverse buys in a geographic area.²¹ A law enforcement officer reports an event to the HIDTA by providing the time and location of the planned event, as well as a cell phone number where the officer can be reached immediately. The database searches a specified radius to determine if there is a conflict or "hit" with any other events.²² If there is a hit, a HIDTA analyst telephones the officers that submitted the overlapping event and provides them with one another's contact information. The officers involved are responsible for contacting each other and working out the potential conflict directly.

²¹ In a "reverse buy," an undercover law enforcement officer acts as the seller of drugs or firearms to apprehend suspected drug or firearm traffickers.

²² Each HIDTA sets its own radius for what constitutes a "hit." For example, the Philadelphia/Camden HIDTA reports a hit only if the address of an event matches exactly. The Los Angeles and Nevada HIDTAs report a hit if events are occurring less than 1,000 yards apart.

PURPOSE, SCOPE, AND METHODOLOGY OF THE OIG REVIEW

Purpose

In the Conference Report on the Department's FY 2006 appropriations bill, the House and Senate Appropriations Committees directed that the OIG assess the coordination of investigations conducted by four types of violent crime task forces: ATF Violent Crime Impact Teams, DEA Mobile Enforcement Teams, FBI Safe Streets Task Forces, and USMS Regional Fugitive Task Forces.²³ This report responds to Congress's request and assesses whether the task force operations are well coordinated. In this report, "well coordinated" means that task forces avoided duplicate investigations, cooperated in joint investigations, and deconflicted events to protect officer safety.

Scope

We reviewed the Department's and the components' policies on task force coordination, compliance with these policies, and local task force and field office efforts to coordinate investigations through FY 2006. We also analyzed nation-wide arrests reported in FYs 2003 through 2005 by the ATF Violent Crime Impact Teams, the DEA Mobile Enforcement Teams, the FBI Safe Streets Task Forces, and the USMS Regional Fugitive Task Forces and assessed local task force operations in eight cities through the time of our site visits to each city. This report also includes some of the information the components provided in response to our request for comments on the draft report.

Methodology

To assess the components' coordination efforts, we conducted interviews, site visits, and data analyses.

Interviews. We conducted 234 in-person and telephone interviews with officials from the Office of the Deputy Attorney General; the Department's Office of the Chief Information Officer; senior ATF, DEA, FBI, and USMS managers in headquarters units and in field offices; non-supervisory Special Agents and Deputy Marshals in field offices; and U.S. Attorney's Office officials. Additionally, we interviewed non-

²³ See House Report No. 109-272, at 67 (2005).

Department personnel from the Office of National Drug Control Policy and the HIDTAs, and local and state law enforcement officials who participated on the task forces.

Site Visits. We conducted site visits to eight cities with two or more task forces from February 2006 through May 2006 (Table 3). The primary criterion for site selection was the variety of task forces operating in the city. We identified the names and locations of task forces operating within cities across the country. Our final selection took into account geographic diversity (i.e., East coast, Midwest, South, and West coast), the population of the cities, and the components' recommendations. We selected four cities that have all four task forces (Atlanta, Georgia; Camden, New Jersey; Las Vegas, Nevada; and Los Angeles, California), three cities that have three task forces (Chicago, Illinois; Gary, Indiana; and Philadelphia, Pennsylvania), and one city that has two task forces and one planned task force (Birmingham, Alabama).

Table 3: Task Forces in the Eight Cities Visited During FY 2006

CITIES	ATF Violent Crime Impact Team	DEA Mobile Enforcement Team	FBI Safe Streets Task Force	USMS Regional Fugitive Task Force
Atlanta, GA	✓	✓	✓	✓
Birmingham, AL	Planned		✓	✓
Camden, NJ	✓	✓	✓	✓
Chicago, IL		✓	✓	✓
Gary, IN		✓	✓	✓
Las Vegas, NV	✓	✓	✓	✓
Los Angeles, CA	✓	✓	✓	✓
Philadelphia, PA	✓	✓	✓	

In each city, we interviewed personnel from ATF, the DEA, the FBI, the USMS, the U.S. Attorney's Office, HIDTA, and state and local law enforcement agencies from the city and surrounding jurisdictions to evaluate the coordination among the components' field and task force operations. Some cities did not have all four types of task forces within the scope of our review. In those cities, we assessed the components' coordination of violent crime operations with the task forces within the scope of this review.

Based on our site visits and other field work, we developed 28 criteria that indicated the presence or absence of coordination. Using

these criteria, we analyzed the data we collected in each city we visited to assess the coordination of task force investigations by each component in each city and to rank the components' combined coordination efforts in the eight cities.

Data Analysis. To identify instances of cooperation or duplication of effort among the task forces, we also examined data from FYs 2003 through 2005 to find instances in which more than one component task force investigated the same individual. Because task forces often do not know the identity of the individual they are seeking early in an investigation (which precludes fully identifying overlapping ongoing investigations), and because of the components' sensitivity regarding data related to their ongoing investigations, we focused our analysis on investigations that had culminated in the arrest of an individual. We used statistical analysis software to compare lists of arrestees provided by each component to identify instances in which more than one task force reported making the same arrest. We identified arrests reported by more than one task force based on one of three methods: matching Social Security Numbers recorded by both components, matching FBI Numbers recorded by both components, or matching names and dates of birth recorded by both components.²⁴ We provided the results to the components and asked them to review their case files and provide explanations for arrests reported by more than one task force. We analyzed the components' responses and identified duplicate investigations, in which at least one task force did not report any efforts to cooperate, and joint investigations, in which both task forces reported working together. A detailed methodology is included in Appendix II.

Background Research. Our background research included reviews of reports, Department policies, congressional testimony and appropriations legislation, press releases, speech transcripts, and newspaper articles.

²⁴ The FBI Number is a unique identification number assigned to each individual who has a record in the FBI's Integrated Automated Fingerprint Identification System, a nation-wide database of fingerprint and criminal history records of individuals who have been arrested. Because it is tied to fingerprint records, an individual's FBI Number is less susceptible to identity fraud than a date of birth or a Social Security Number.

RESULTS OF THE REVIEW

Department coordination of task force investigations was not fully effective in preventing duplication of effort. In FY 2005, there were 84 cities with 2 or more violent crime task forces operated by ATF, the DEA, the FBI, and the USMS. Although the missions of these task forces overlap, the Department does not require the components to coordinate task force operations, cooperate on investigations, or deconflict law enforcement events. In August 2005, the Department issued a policy requiring the Deputy Attorney General's approval for new anti-gang activities. However, coordination issues continued to occur, and in June 2006 the Department began requiring a recommendation by the U.S. Attorney for the jurisdiction in which any new anti-gang task force would operate.

As a result of the lack of Department-level policies requiring coordination, the components' coordination of task force investigations is inadequate. Some components have nation-wide policies that require coordination of task force operations. ATF, DEA, and USMS headquarters managers entered into Memorandums of Understanding that require their task forces to coordinate their operations. In contrast, the FBI's policy does not address FBI coordination with new task forces created by the other Department components or FBI participation in or coordination of investigations with violent crime task forces led by other components.

Our analysis of nation-wide task force arrest data and our site visits indicated that the components' coordination of task force investigations is uneven. The nation-wide arrest data showed that the task forces duplicated one another's efforts more often than they cooperated in joint investigations. At the local level, task force operations in some cities are better coordinated because the U.S. Attorneys and local task force managers have local policies on coordination. In other cities, task forces conducted duplicate investigations and failed to deconflict events, resulting in three "blue-on-blue" incidents.

In the sections that follow, we present our findings regarding the Department's and the components' efforts to coordinate task force investigations. We then present our observations of task force operations at the task force level, the investigation level, and the law enforcement event level. In the final section, we describe the combined coordination efforts of the components and the U.S. Attorneys in each of the eight cities we visited.

The Department's Coordination Efforts

Overall, the Department did not adequately coordinate the operations of existing and new task forces created in the same jurisdictions. As the number of cities with multiple task forces has increased, concerns have arisen among Department officials, members of Congress, and local police chiefs that the Department's task force investigations must be well coordinated to avoid duplication of effort.

Although the number of violent crime task forces operated by the Department was steadily increasing, before May 2005 there were no Department-level policies requiring the components to coordinate the operations or investigations of violent crime task forces. In August 2005, the Department issued a policy requiring the components to obtain the Deputy Attorney General's approval to conduct anti-gang programs and activities in new locations. However, even after August 2005 coordination issues occurred related to anti-gang task force activities in at least three cities.

The issues arose when the FBI approached local law enforcement officials in three cities about providing local officers to participate in new or revitalized FBI Violent Gang Safe Streets Task Forces. Each of these instances resulted in either the U.S. Attorney or the local Chief of Police expressing concern about the coordination of task force activities. To improve coordination of the Department's anti-gang activities, in June 2006 the Office of the Deputy Attorney General established a detailed application process for new anti-gang activities requiring support from and a recommendation by the U.S. Attorney for the jurisdiction in which any new anti-gang task force would operate. However, the current anti-gang task force guidance does not address the larger problem of the coordination among other violent crime task forces.

The Department operated task forces with overlapping missions without requiring them to coordinate their operations.

From FYs 2003 through 2005, the number of cities with more than one violent crime task force more than quadrupled. In FY 2005, the Department and its components operated more than 1 violent crime task force in 84 locations, up from 20 in FY 2003. ATF, the DEA, the FBI, and the USMS and their task forces have overlapping violent crime jurisdictions and missions, as illustrated in Table 4.

Table 4: Violent Crime Missions by Component

MISSIONS	ATF	DEA	FBI	USMS
Armed violent offenders	✓	✓	✓	
Narcotics traffickers/drugs	✓	✓	✓	
Violent gang crime	✓	✓	✓	
Arms traffickers	✓		✓	
Homicide/murder	✓	✓	✓	
Interstate robbery	✓		✓	
Racketeering	✓	✓	✓	
Money laundering	✓	✓	✓	
Federal fugitives	✓	✓	✓	✓
State and local fugitives			✓	✓

Despite the overlapping missions, the Department did not adequately coordinate the operations of existing and new task forces created in the same jurisdictions. Specifically, the Department did not require coordination of the operations of the ATF Violent Crime Impact Teams or the USMS Regional Fugitive Task Forces even though other task forces were already operating in the same cities. As a result, prior to FY 2006, 5 USMS Regional Fugitive Task Forces and 13 ATF Violent Crime Impact Teams were created in the same cities as 58 existing FBI Safe Streets Task Forces with overlapping missions.

When Congress directed the Department to create the USMS Regional Fugitive Task Forces, the Department did not evaluate the missions of 40 task forces that were already operational in the same cities. The 40 existing task forces included 6 FBI Safe Streets Task Forces with fugitive apprehension responsibilities. The congressionally defined mission of the newer USMS Regional Fugitive Task Forces overlaps with the mission of the six existing FBI Safe Streets Task Forces with fugitive apprehension responsibilities. The overlapping missions of these task forces increased the need to coordinate task force operations.

In two of the eight cities we visited, FBI Safe Streets Task Forces and USMS Regional Fugitive Task Forces effectively coordinated their operations by agreeing that the USMS task force would pursue most state and local fugitives while the FBI would lead and the USMS task force would support more complex criminal investigations. Relations between the task forces in these two cities were excellent, as demonstrated by the following remarks made to the OIG review team:

- A Chief Deputy U.S. Marshal stated, “We have a great relationship with the [the FBI Safe Streets Task Force].”
- An FBI Special Agent assigned to a USMS Regional Fugitive Task Force stated, “I bring my caseload here. My caseload is guys we know have skipped, and we’re using the USMS resources to catch the guy.”

In the other cities, however, relations between the fugitive task forces were tenuous, as demonstrated by the following remarks made to the OIG review team:

- An FBI Supervisory Special Agent stated that the USMS “doesn’t have the capability to chase fugitives in this town.”
- A USMS Chief Inspector stated, “The [Regional Fugitive Task Force] does a better job with fugitives.”
- A USMS Chief Inspector stated that the FBI works “differently” and a partnership with them is not always a “good marriage.”
- An FBI Supervisory Special Agent described the fugitive task forces’ relationship this way: “Essentially, they try to stay out of each other’s way.”
- An FBI Supervisory Special Agent stated that the creation of the Regional Fugitive Task Force had caused “nothing but problems.”
- An FBI Supervisory Special Agent stated that the USMS misrepresented the FBI when meeting with other law enforcement agencies: “The USMS tells the locals that the FBI isn’t doing fugitives anymore, but that’s not true.”

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- A U.S. Marshal stated that the FBI “condescendingly” asked the USMS to “roll” the Regional Fugitive Task Force into the FBI’s fugitive efforts. “It was an insult to us.”
 - A Chief Deputy U.S. Marshal stated that the Regional Fugitive Task Force obtains federal warrants for some state and local fugitives “to keep the FBI from getting the case.”
 - A HIDTA Executive Director stated that tensions between the FBI and USMS fugitive task forces had escalated to the point that he was concerned about officer safety.

The Department’s creation of ATF Violent Crime Impact Teams with missions similar to existing task forces also created coordination problems. The Department did not require ATF to coordinate the locations or operations of ATF Violent Crime Impact Teams with the DEA and the FBI task forces already operating in the same cities. For example, the Department created a new ATF Violent Crime Impact Team with a gang crime focus in one city with an established FBI Violent Gang Safe Streets Task Force. The ATF Special Agent in Charge admitted that there was potential for their investigations to duplicate one another. An FBI Supervisory Special Agent stated, “I am truly concerned that we are seriously going to be duplicating [each other’s investigations of] gangs.”

The lack of Department-level coordination of new task forces sometimes reduced existing cooperative efforts. For example, in one city, the ATF Special Agent in Charge assigned an ATF Special Agent to the USMS Regional Fugitive Task Force when it was created. The ATF Special Agent served as a member of the USMS task force for 3 years. However, the ATF Special Agent stated that he was pulled off the USMS Regional Fugitive Task Force when the ATF Special Agent in Charge disagreed with the U.S. Marshal’s decision not to provide a full-time Deputy Marshal to the newly established ATF Violent Crime Impact Team.

In another city, the USMS and local law enforcement agencies were members of an FBI Safe Streets Task Force that focused on fugitives. When the USMS established its USMS Regional Fugitive Task Force, its members left the FBI Safe Streets Task Force, and the majority of the local law enforcement officers agreed to work with the USMS task force. The FBI did not join the USMS Regional Fugitive Task Force. Instead, it continued to focus on fugitives with a smaller FBI Safe Streets Task Force.

The Anti-Gang Coordination Committee tried to coordinate the overlapping missions of some task forces and was partially effective.

We found that the August 2005 policy was not fully effective at eliminating coordination concerns related to anti-gang task forces. Of the four components, at least two initiated new anti-gang activities between the time the Deputy Attorney General's memorandum was issued in August 2005 and the time the more detailed procedures were issued in June 2006. In two cities, ATF and U.S. Attorneys proposed new ATF Violent Crime Impact Teams to the Office of the Deputy Attorney General for approval pursuant to the August 2005 policy. In three other cities, the FBI approached local law enforcement officials about participating in FBI Violent Gang Safe Streets Task Force activities prior to discussing its plans with local U.S. Attorneys.

The Acting Chairwoman of the Department's Anti-Gang Coordination Committee reported that after issuance of the August 2005 policy, the U.S. Attorneys for Tulsa, Oklahoma, and Spokane, Washington, expressed concern that anti-gang task force activities in their cities were not coordinated. We contacted the U.S. Attorneys and they confirmed that they had expressed concern over the FBI's anti-gang task force activities. We also found that the FBI planned to conduct new anti-gang activities in Birmingham, Alabama, and the Chief of Police there confirmed that she had assigned police officers to a revitalized FBI Safe Streets Task Force. In each of the three cities, the lack of coordination resulted in competition with other components' task forces for the participation of local law enforcement officers.

In Tulsa, the FBI planned to establish a Violent Gang Safe Streets Task Force. The U.S. Attorney stated that the FBI did not coordinate efforts to establish this task force through the U.S. Attorney's Office. The U.S. Attorney learned about the FBI's efforts when the Chief of Police complained to him after being approached by the FBI. The Chief told the U.S. Attorney that an FBI Supervisory Special Agent had requested police officers for a new FBI Safe Streets Task Force. The FBI Supervisory Special Agent had indicated to the Chief that the Sheriff's Office had already signed a Memorandum of Understanding and provided task force officers. The Chief of Police also stated that the FBI Supervisory Special Agent represented that the U.S. Attorney was aware of the new FBI Safe Streets Task Force. The Chief said that he told the U.S. Attorney that he preferred to continue the joint anti-gang efforts between his department and the ATF Violent Crime Impact Team, established in 2004. A few weeks after the Chief complained, the FBI Resident Agent in Charge met

with the U.S. Attorney to let him know that the FBI planned to request local task force members from the police department. The U.S. Attorney reported that the FBI's efforts stalled because the police department was reluctant to join the task force.

In Spokane, the FBI planned to create an FBI Violent Gang Safe Streets Task Force and contacted local law enforcement officers in the fall of 2005. The U.S. Attorney for the Eastern District of Washington told the OIG that, as the result of the FBI's attempt to form a new anti-gang task force in Spokane, he received many calls from multiple law enforcement sources expressing concerns. Because local law enforcement personnel and resources were limited, the U.S. Attorney told us that he did not want "proven and successful task forces to be robbed of their officers." An Assistant U.S. Attorney stated that he informed FBI task force officials that they had to coordinate the creation of the new task force and their request for local personnel with the other components and the U.S. Attorney's Office in accordance with the Deputy Attorney General's August 2005 memorandum. According to the Assistant U.S. Attorney, FBI task force managers stated that they were not aware of the memorandum. The U.S. Attorney therefore spoke with the components' Special Agents in Charge and explained that if they were going to create new task forces, they had to be coordinated. Ultimately, the FBI decided not to create a Safe Streets Task Force in Spokane.

We also identified a coordination problem in Birmingham. The FBI Assistant Special Agent in Charge in Birmingham stated that in early 2006 the FBI revitalized the activities of its Violent Crime Safe Streets Task Force, changed its focus to gang crime investigations, and requested local police officers for the revitalized task force. The Birmingham Chief of Police stated that the FBI asked her to provide local officers for its "new" FBI Violent Gang Safe Streets Task Force. The Chief granted the FBI's request. She said this later prevented her from assigning officers to the USMS Regional Fugitive Task Force created in 2006. The Chief stated that she would not have assigned as many officers to the FBI Safe Streets Task Force if she had known that the USMS would also be requesting local task force officers.

In June 2006, the Office of the Deputy Attorney General issued procedures to improve the coordination of anti-gang task force activities and reduce the competition for local law enforcement participants. On March 23, 2007, the Associate Deputy Attorney General responsible for task force coordination reported that, "Since those procedures have been in place, the Department of Justice components have exhibited 100%

compliance with the policies on new anti-gang task forces and all new anti-gang task forces have been subject to review by the Anti-Gang Coordination Committee and approval by the Deputy Attorney General.”

The current guidance does not address the larger problem of competition for resources among other violent crime task forces. Special Agents in Charge, U.S. Marshals, and task force officials we interviewed stated that competition for local task force members exists because local task force officers are critical to the success of the Department’s task forces. Local law enforcement agencies are therefore offered significant financial and training incentives to encourage them to participate. Several ATF and DEA Special Agents and Deputy Marshals responsible for task force operations told us that ATF, the DEA, and the USMS coordinated their requests for local task force members, but that FBI Special Agents cannot always be relied upon to do so. In response to this criticism, FBI headquarters managers pointed out that under the Director’s November 16, 1993, memorandum establishing the FBI’s national gang strategy, FBI “field offices will ensure that all [f]ederal, state, and local law enforcement agencies are provided the opportunity to participate and contribute to this [the FBI’s] investigative effort.” An FBI Safe Streets Task Force headquarters manager also pointed out that, “It’s the responsibility of the [Special Agents in Charge] in the field to always be coordinating, somehow, somehow.”

The Components’ Coordination Efforts

We found that some components created their own policies on coordinating task force operations, but they did not always follow the policies. FBI headquarters managers reported the most difficulty in coordinating their task force operations. One FBI official stated:

How do we coordinate with federal agencies that have specific jurisdictions when we have jurisdiction for all of this [violent crime]? We aren’t going to give up a case. We’ll let the other agencies know [the FBI’s plans].

Detailed descriptions of the components’ coordination policies and their compliance with these policies follow.

ATF, the DEA, and the FBI did not effectively coordinate the operations of their violent crime task forces.

The DEA's nation-wide policies require task force managers to coordinate with other components before they deploy a DEA Mobile Enforcement Team. Nation-wide DEA policy also requires task forces to coordinate investigations and deconflict events, usually through the local HIDTA information-sharing systems. DEA task force managers were generally effective in coordinating Mobile Enforcement Team deployments, but coordination issues surrounding the 2005 deployment of a Mobile Enforcement Team in one city created tensions among the federal law enforcement components in that city.

ATF does not have a nation-wide coordination or event deconfliction policy. Instead, according to an ATF headquarters manager, coordination is done in the field without a "step-by-step coordination directive" from ATF headquarters. When ATF created its first ATF Violent Crime Impact Teams in 2004, ATF headquarters managers did not coordinate the target areas and operations of their task forces with other components. An ATF headquarters manager stated that the presence of other task forces in a city was not a factor in deciding whether to create a new task force:

If there are already task forces present in the city [where an ATF Violent Crime Impact Team has been proposed], then they are not effective. If other task forces were handling [a city's] problem, then there would be no need for an ATF Violent Crime Impact Team.

Since August 2005, however, new ATF Violent Crime Impact Teams have been coordinated with the other components through the Anti-Gang Coordination Committee. In addition, ATF requested that the DEA and the FBI provide Special Agents to work on ATF Violent Crime Impact Teams. In response to ATF's request, the DEA is working to obtain funding for DEA participation on ATF Violent Crime Impact Teams. However, nation-wide efforts by ATF and the FBI to coordinate task force operations have failed. An ATF headquarters manager stated, "Coordinating with the FBI is a national problem."

The FBI's national policy on Safe Streets Task Forces does not require coordination and event deconfliction. FBI policy requires that proposals for new FBI Safe Streets Task Forces list other law enforcement agencies in the area with which the new task force would

have to coordinate. However, the policy does not address coordination of existing task forces or FBI coordination with new task forces other components create. The FBI's policy, issued in 1993, describes the coordination of investigations by multi-jurisdictional FBI Safe Streets Task Forces made up of federal, state, and local agencies. The policy does not cover participation in or coordination of investigations with federal violent crime task forces led by other Department components. An FBI Safe Streets Task Force headquarters manager stated that, "It's the responsibility of the [Special Agents in Charge] in the field to always be coordinating, somehow, somehow."

In early 2006, an Associate Deputy Attorney General specifically asked ATF and the FBI to work together to coordinate and co-locate their task forces. An FBI Safe Streets Task Force headquarters manager stated that the FBI proposed joint FBI Safe Streets and ATF Violent Crime Impact Team task forces in several cities but that ATF declined its offer because they could not agree on which component would lead the task forces. An ATF headquarters manager acknowledged the FBI's offer. He stated that ATF declined the FBI offer because it included a requirement that FBI Special Agents lead at least half of the proposed joint task forces. The ATF manager stated that he pointed out to his FBI counterpart that the FBI, whose first priority is terrorism, leads all of the Joint Terrorism Task Forces, and that it would be appropriate for ATF, whose first priority is violent crime, to lead all of the violent crime task forces.

The FBI and the USMS did not coordinate fugitive task force operations.

We found that the FBI and USMS fugitive task forces have duplicated one another's efforts and that these duplicate investigations can create a risk to officer safety. To coordinate the operations of USMS Regional Fugitive Task Forces with ATF and the DEA, the USMS negotiated agreements to conduct fugitive investigations for them. The USMS does not have a similar agreement with the FBI. Instead, under a 1988 Attorney General memorandum on fugitive apprehensions, the FBI pursues federal fugitives on warrants the FBI obtains, and the USMS has primary responsibility for the apprehension of all other fugitives.

USMS Regional Fugitive Task Forces can attempt to apprehend federal, state, and local fugitives based on any valid warrant. The FBI Unit Chief for the Violent Crimes and Fugitive Safe Streets Task Forces told the OIG that FBI Safe Streets Task Forces are authorized to apprehend state and local fugitives if the state or local jurisdiction

requests FBI assistance and the FBI obtains a federal Unlawful Flight to Avoid Prosecution warrant in accordance with FBI policy. When FBI Special Agents obtain federal Unlawful Flight to Avoid Prosecution warrants, the warrants are recorded in the federal Warrant Information Network used by Deputy Marshals to coordinate fugitive investigations.

However, we learned of two ways in which FBI headquarters managers permit FBI Safe Streets Task Forces to conduct state and local fugitive investigations that may duplicate ongoing USMS fugitive investigations without first obtaining federal Unlawful Flight to Avoid Prosecution warrants.²⁵ FBI Special Agents can conduct preliminary investigations without a warrant for up to 90 days to determine whether a state or local fugitive has fled the state. Preliminary investigations do not require federal Unlawful Flight to Avoid Prosecution warrants and are not tracked in the federal Warrant Information Network. FBI Special Agents may also provide “domestic police cooperation” without a warrant to state or local fugitive investigations. The FBI does not have a policy that requires FBI Special Agents to coordinate preliminary investigations or domestic police cooperation with Deputy Marshals.

An FBI headquarters manager stated that obtaining Unlawful Flight to Avoid Prosecution warrants in every case and checking the Warrant Information Network are not critical and that when local law enforcement agencies request FBI assistance the USMS will know about it. In contrast, Deputy Marshals stated that they are sometimes informed about FBI investigations by state or local law enforcement agencies, but that they do not always know when the FBI is conducting a preliminary fugitive investigation or is providing domestic police cooperation because these investigations are not tracked in the Warrant Information Network.

In June 2005, FBI officials met with USMS officials to discuss and attempt to better coordinate their fugitive investigations, but the FBI and the USMS could not reach an agreement. An FBI headquarters manager told the OIG that the meeting was to reconcile the two components’ different approaches to fugitive investigations. However, a USMS

²⁵ FBI headquarters managers stated that only one Safe Streets Task Force is dedicated solely to fugitive investigations. This task force is located in Boston in order to apprehend a single fugitive, James Bulger, an organized crime boss who has been a fugitive since 1995. However, we identified eight FBI Violent Crime Safe Streets Task Forces that routinely attempted to apprehend federal, state, and local fugitives, with and without federal warrants.

headquarters manager stated to the OIG that the FBI wanted to discuss how to “divide the fugitive pie” between the two components. Regardless of what the meeting’s purpose was, the two sides agreed to disagree. An FBI headquarters manager stated, “We walked out with us continuing doing what we’re doing and them continuing what they’re doing.”

Nation-wide Task Force Arrest Data

Our analysis of nation-wide task force arrest data indicated that the components’ coordination of task force investigations was uneven. Of the 97,228 arrests the components’ task forces made from FYs 2003 through 2005, we found that 1,288 had been reported by more than one task force. We asked the components to review their files and describe their coordination efforts and the circumstances of these arrests. On the basis of the information the components provided, we concluded that the components had conducted duplicate investigations in 768 of the arrests (60 percent) and had cooperated in joint investigations in 520 of the arrests (40 percent).

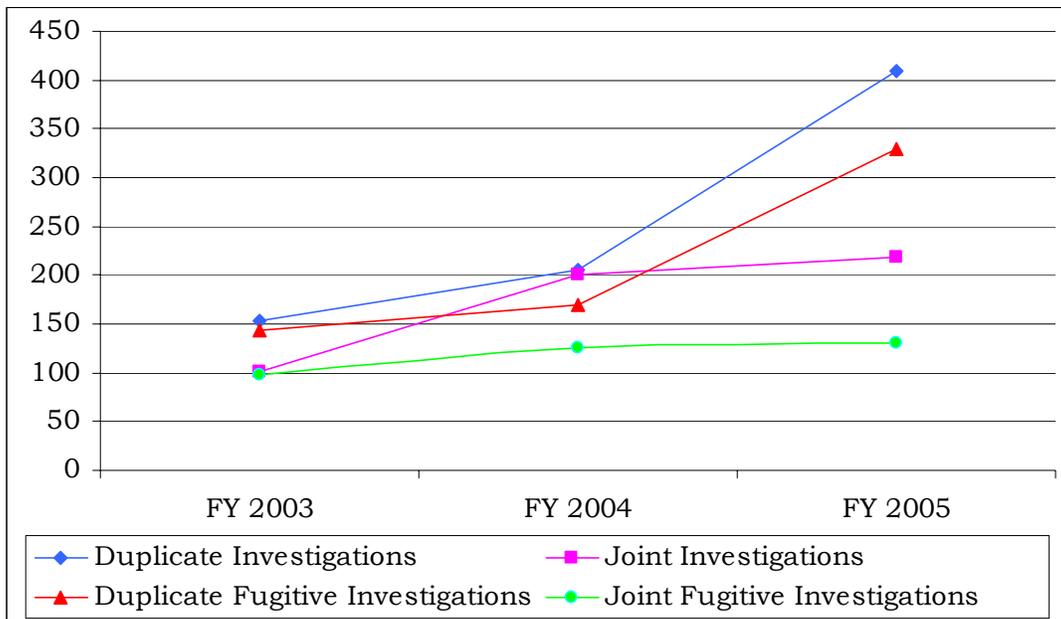
The number of duplicate and joint investigations among the remaining 95,940 arrests reported by one task force could not be determined. The data provided by the components could not be used to assess whether any of these arrested individuals were investigated – but not arrested – by a second task force. This was due to insufficient information in the components’ databases to match individuals under investigation who had not been arrested.²⁶ For example, prior to arrest, an individual may be identified by different names in different component databases. One database may have the individual’s first name and another database may have only the individual’s last name or nickname.

Our analysis also showed that the components increasingly duplicated efforts as the number of cities with 2 or more task forces increased from 20 in FY 2003 to 84 in FY 2005. The number of duplicate investigations increased by 167 percent, from 153 in FY 2003 to 409 in FY 2005. During the same period the number of joint investigations increased by 117 percent, from 101 to 219 (Figure 1).

²⁶ Matching individuals under investigation by the task forces requires matching Social Security Numbers recorded by both components, matching FBI Numbers recorded by both components, or matching names and dates of birth recorded by both components.

Further, the increase in duplicate fugitive investigations involving the FBI and USMS task forces, 131 percent, was four times greater than the increase in joint fugitive investigations, 33 percent, from FYs 2003 through 2005. During the same period, the number of duplicate fugitive investigations increased from 143 to 330, and the number of joint fugitive investigations increased from 98 to 130. These numbers reflect the problems of coordination and cooperation between the FBI and the USMS that we found during our site visits. The components' descriptions of their task forces' duplication of effort and cooperation in joint investigations are set out in detail in the following two sections.

Figure 1: Increases in Task Force Duplicate and Joint Investigations



The task forces duplicated one another's investigations 768 times during FYs 2003 through 2005.

On the basis of the information the components provided, we identified four ways in which the components reported duplicated efforts.

- In 332 arrests, neither component acknowledged the participation of the other component in the investigation. Of these, 270 were instances in which a USMS Regional Fugitive Task Force reported that it made an arrest without the assistance of the FBI and an FBI Safe Streets Task Force stated that it made the same arrest without the assistance of the USMS.

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- In 242 arrests, one component reported that the arrest was the result of a joint investigation by two task forces, while the other component reported that the arrest was made only by its task force.
 - In 113 arrests, one component provided an explanation, while the other component either could not provide any information on the arrest or provided a widely divergent explanation of the circumstances surrounding the arrest.²⁷
 - In 81 arrests, one component reported that its task force became involved after the arrest to prepare additional federal charges against the defendant or to arrange for the defendant's transfer from state to federal custody. However, the component that conducted the pre-arrest investigation and made the arrest did not acknowledge the post-arrest participation of the other task force.

The task forces conducted 520 joint investigations during FYs 2003 through 2005.

On the basis of the information the components provided, we identified six categories of cooperation on investigations among the task forces.

- In 287 arrests, both components' task forces reported working together prior to the suspect's arrest. Most of these arrests (225) were made by an FBI Safe Streets Task Force and a USMS Regional Fugitive Task coordinating their actions during fugitive investigations in a single federal judicial district.
- In 98 arrests, both components reported working together after the suspect's arrest. Most of these arrests (62) occurred when an ATF Violent Crime Impact Team obtained a federal warrant for a suspect who was already in state custody and a USMS Regional Fugitive Task Force arranged for the suspect to be transferred into federal custody.

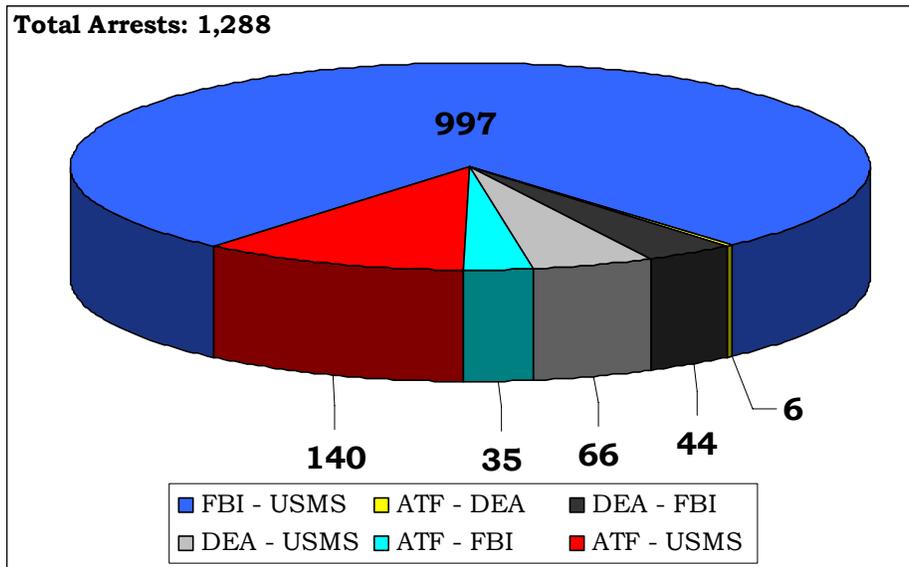
²⁷ For example, the FBI reported that a Safe Streets Task Force arrested one individual on September 15, 2003, in Michigan. The USMS reported that a Regional Fugitive Task Force arrested that same individual on the same date in Georgia.

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- In 92 arrests, the USMS task force used an information-sharing system to identify fugitives and close additional warrants after an ATF, DEA, or FBI task force arrested a suspect for a federal crime and the suspect's identity was established using the federal Warrant Information Network.
 - In 30 arrests, a DEA Mobile Enforcement Team was assisted by FBI Special Agents from an FBI Safe Streets Task Force. Notably, most of these arrests (26) were made by a single DEA Mobile Enforcement Team.
 - In seven arrests, the FBI arrested a fugitive outside the United States and transferred that fugitive to the custody of the USMS upon return to the United States.
 - In six arrests, both the FBI and the USMS reported that during a USMS Regional Fugitive Task Force search for a fugitive, an FBI Special Agent assigned to a USMS Regional Fugitive Task Force served as the lead investigator and used FBI information systems not available to the USMS to further the investigation.

Nation-wide data on FBI and USMS task force arrests showed the most duplication and the least cooperation.

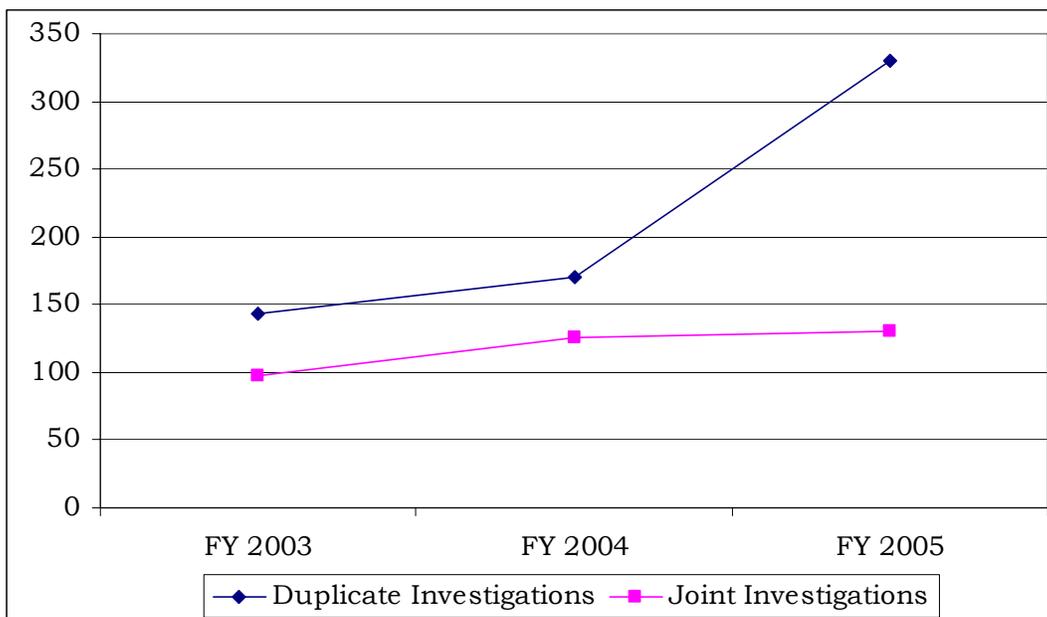
Because FBI Special Agents and USMS Deputy Marshals we interviewed reported widespread tensions between the two components, we conducted a separate analysis of FBI and USMS task force arrests to compare the duplication of effort in their investigations to the other components' investigations. FBI and USMS task forces accounted for 77 percent of the arrests reported by more than one task force (Figure 2). We identified 997 arrests reported by both the FBI Safe Streets Task Forces and the USMS Regional Fugitive Task Forces.

Figure 2: Distribution of Arrests Reported by More Than One Task Force



Based on the information on coordination that the FBI and the USMS provided to us, we concluded that they had conducted duplicate investigations in 643 of the arrests (64 percent) and had cooperated in joint investigations in 354 of the arrests (36 percent). Further, the trend of FBI and USMS investigations indicates that between FY 2003 and FY 2005, the number of duplicate investigations more than doubled, increasing from 143 to 330, while the change in the number of joint investigations was much smaller, from 98 to 130 (Figure 3).

Figure 3: USMS and FBI Duplicate Investigations Increased While Joint Investigations Remained Relatively Static



Although the USMS made 184 reporting errors, there was no indication of a systematic effort by the USMS to report arrests made by other task forces.

A number of ATF, DEA, and FBI Special Agents expressed to us suspicions that the USMS was using its role in the federal prisoner booking process as an opportunity to claim credit for arrests made by other task forces.²⁸ The Deputy Marshals we interviewed denied such an effort. Because the USMS is responsible for recording the arresting agency and the date of the arrest in the federal Warrant Information Network, we analyzed all of the components' explanations of overlapping arrests to assess these complaints.

²⁸ Suspects are booked up to three times after a single federal arrest: (1) by the agency that makes the arrest; (2) by the USMS prior to confinement and transportation; and (3) by the Federal Bureau of Prisons. See Department of Justice, Office of the Inspector General, *The Joint Automated Booking System*, Audit Report Number 05-22, May 2005, pp. 2-3.

We found that the USMS reported 184 arrests that USMS task forces did not make.²⁹ ATF, DEA, and FBI explanations for their arrests confirmed that the arrests were made without USMS involvement. The USMS reported these 184 arrests based on Warrant Information Network data. A case file review conducted by the USMS showed that these 184 arrests were actually made by other components' task forces and that a USMS task force had not been involved in the investigations. After the components' case file reviews, the USMS acknowledged to the OIG that it had erred in reporting these arrests.

We did not find the 184 erroneously reported arrests to be indicative of a systematic effort by the USMS to inflate its arrest statistics by claiming credit for arrests made by other components' task forces. The 184 arrests the USMS erroneously reported represent less than 1 percent of the 29,967 arrests made by the other components' task forces. The erroneously reported arrests are an even smaller percentage of the 67,261 arrests reported by the USMS task forces.

Coordination at the Task Force Level

We also attempted to assess task force coordination on a local task force level. In each city, we interviewed personnel from ATF, the DEA, the FBI, the USMS, the U.S. Attorney's Office, HIDTA, and state and local law enforcement agencies from the city and surrounding jurisdictions to evaluate the coordination among the components' field and task force operations. If a city did not have all four types of task forces within the scope of our review, we interviewed personnel in the field offices about their other task force operations and their coordination with the other component's task forces.

In several of the eight cities we visited, U.S. Attorneys and local task force managers developed local policies and used information-sharing systems to increase coordination of task force operations in their jurisdictions. In other cities, task forces did not have coordination policies, did not use information-sharing systems, and operated as independent entities rather than as part of a coordinated Department approach for combating violent crime. In these cities, we found that task forces conducted duplicate investigations and wasted resources. We also

²⁹ The FBI also acknowledged that based on its case file review, two arrests were erroneously reported to the OIG because they were improperly coded as FBI arrests in the FBI's database. The FBI reported that USMS task forces actually made these two arrests.

found that failures to coordinate task force investigations resulted in three blue-on-blue incidents in which the failure to deconflict events resulted in task force members being misidentified as criminals.

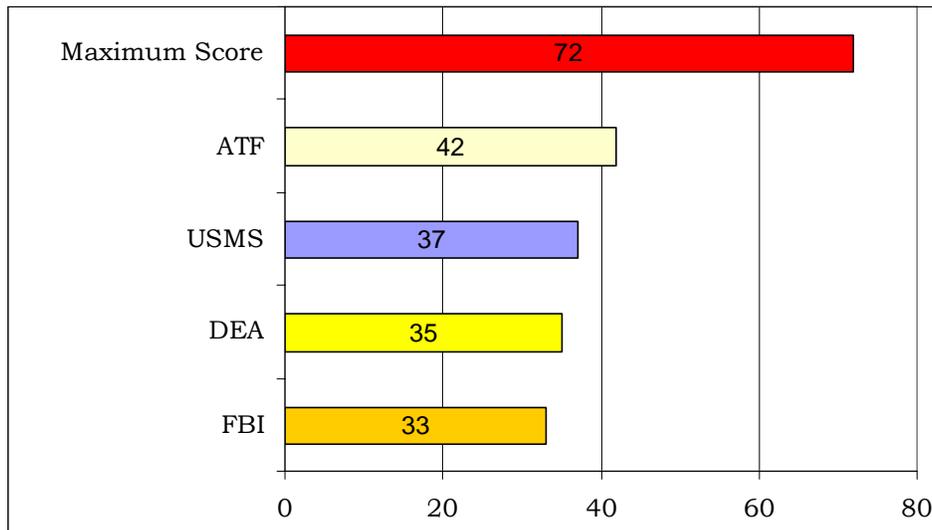
To systematically assess the components' efforts to coordinate their task force investigations, we developed criteria on three levels – task force management, cooperation on investigations, and law enforcement event deconfliction. Our task force management criteria assessed the ways in which task force managers accomplished local coordination, whether the components participated on one another's task forces, and whether they effectively used training and other incentives to increase local participation on federal task forces. The cooperation on investigations criteria examined whether the task forces had policies to cooperate on investigations by sharing information with other law enforcement agencies and whether task force officers complied with these policies. The event deconfliction criteria included whether the task forces had policies to deconflict all events with other law enforcement agencies and whether task force officers complied with those policies.

The task force management criteria were:

- Do violent crime task force missions overlap?
- Do fugitive task force missions overlap?
- Do the components routinely invite local agencies to participate on task forces?
- Do the components routinely invite other federal agencies to participate on task forces?
- Do the components routinely participate on other federal agencies' task forces?
- Do the components coordinate task force locations with local or other federal agencies?
- Do the components routinely attend coordination meetings?
- Do the components use training as an incentive to encourage task force participation by local law enforcement agencies?
- Do the components provide other incentives to encourage task force participation by local law enforcement agencies, for example cars, overtime, and phones?

Figure 4 shows the components' scores based on whether they met the task force management level criteria across the eight cities we visited.

Figure 4: Task Force Management



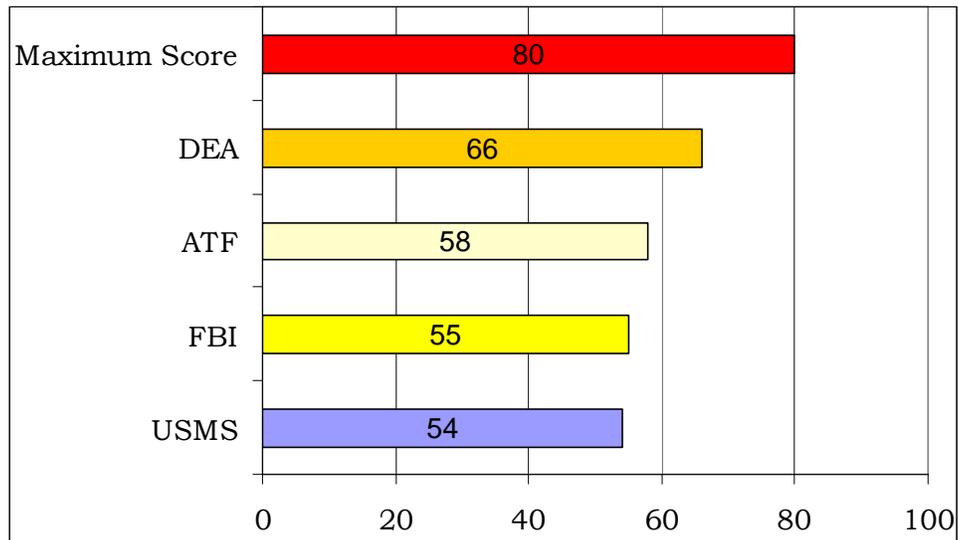
NOTE: The maximum score for each component is based on the number of criteria and the number of cities. For task force management, there are nine criteria for each component in each of the eight cities.

The criteria for cooperation on investigations were:

- Do the task forces have a policy to coordinate all suspects?
- Do the task forces routinely comply with the policy?
- Do the task forces routinely share intelligence with existing or new task forces?
- Has coordination ever prevented a duplicate investigation?
- Do the task forces conduct joint investigations if duplication is found?
- Does the HIDTA have the information-sharing capabilities to support cooperation on individual investigations?
- Do the task forces use HIDTA resources for suspect coordination?
- Do agents have to leave information with the local coordination resource every time they make an inquiry?
- Have there been disputes over investigations that had to be resolved by the field agents?
- Have there been disputes over investigations that had to be resolved by field management?

Figure 5 shows the components' scores based on whether they met the cooperation on investigations criteria.

Figure 5: Cooperation on Investigations



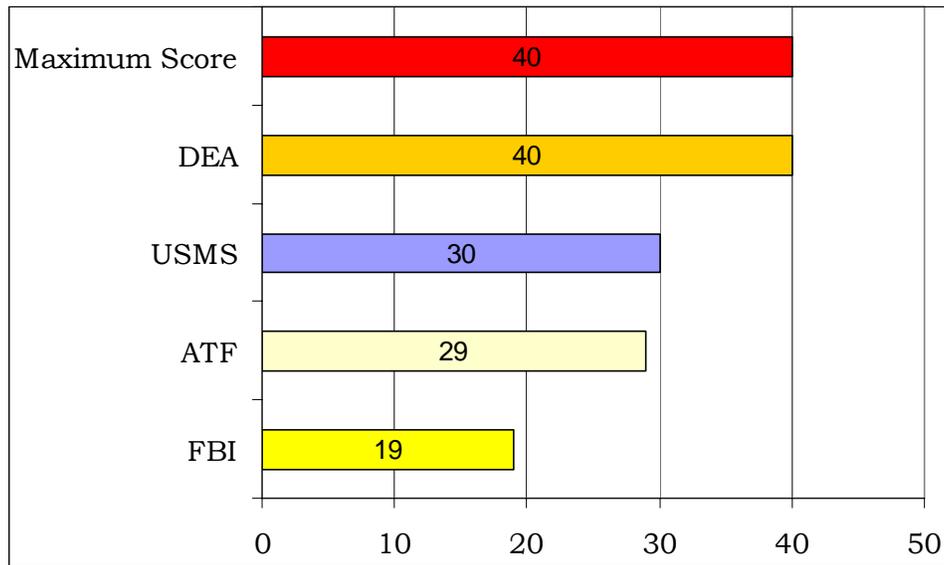
NOTE: The maximum score for each component is based on the number of criteria and the number of cities. For cooperation on investigations, there are 10 criteria for each component in each of the 8 cities.

The criteria for event deconfliction were:

- Do the task forces have an event deconfliction policy?
- Do the task forces comply with the event deconfliction policy?
- Do the task forces use HIDTA resources for event deconfliction?
- Do task force members deconflict events by notifying local law enforcement agencies?
- Have there been any blue-on-blue incidents?

Figure 6 shows the components' scores based on whether they met the event deconfliction criteria.

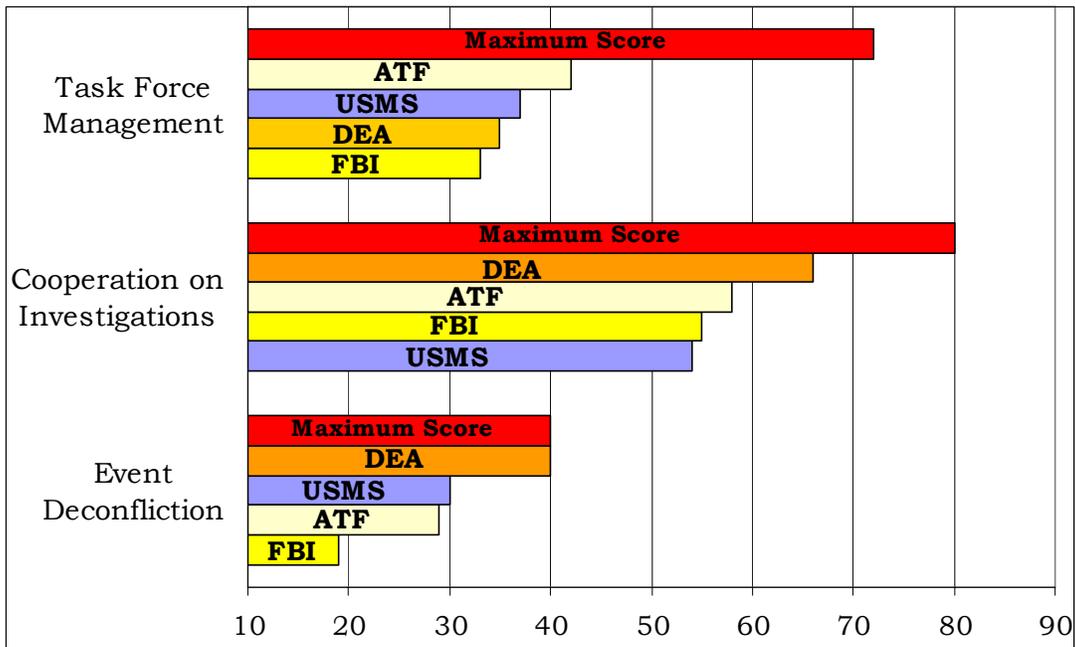
Figure 6: Law Enforcement Event Deconfliction



NOTE: The maximum score for each component is based on the number of criteria and the number of cities. For event deconfliction, there are five criteria for each component in each of the eight cities.

Each level of coordination can operate independently of the others. Figure 7 compares the components' scores on coordination of their task force investigations on each of the three levels – task force management, cooperation on investigations, and law enforcement event deconfliction.

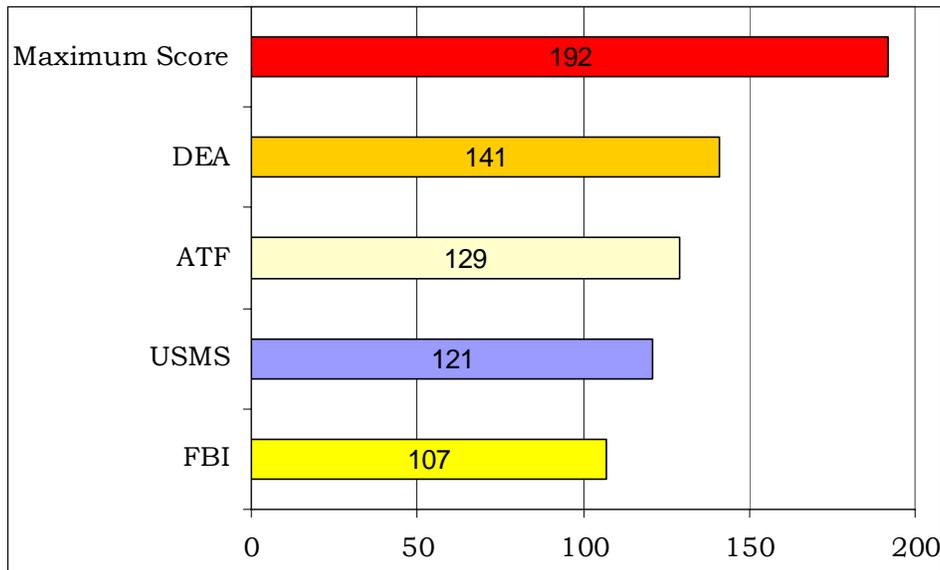
Figure 7: Component Scores on Three Levels of Coordination



NOTE: The maximum score for on each level is based on the number of criteria for that level multiplied by the number of cities, eight. For task force management, there are 9 criteria; for cooperation on investigations, 10; for event deconfliction, 5.

Because the components can emphasize or neglect coordination at any of the three levels, the total scores for components based on all the criteria reflect the components' overall efforts to coordinate task force investigations. Figure 8 shows the components' total coordination scores based on all the criteria.

Figure 8: Component Scores on Task Force Coordination



NOTE: The maximum score is the 24 criteria multiplied by the number of cities, 8.

Critical Factors in the Coordination of Task Force Investigations

The U.S. Attorneys' oversight of the management of violent crime task force operations and the task forces' use of information-sharing systems and adherence to deconfliction policies were the critical factors in the coordination of task force investigations. In the absence of Department and component coordination policies applicable to all violent crime task forces, U.S. Attorneys and task force managers in several cities developed local policies and coordinated task force operations. In other cities, U.S. Attorneys and task force managers did not develop policies and did not require the task forces to use information-sharing systems. In these cities, the task forces operated as independent entities rather than as part of a coordinated Department approach for combating violent crime. In addition, lack of coordination in these cities led to duplicate investigations and failures to deconflict events, resulting in three blue-on-blue incidents in which task force members were misidentified as criminals.

The U.S. Attorneys' efforts were a critical factor in the cities with the best task force coordination.

U.S. Attorneys are the chief federal law enforcement officers in each federal judicial district and, therefore, along with task force managers, have a responsibility for coordinating Department task forces. To evaluate the role of the U.S. Attorneys in coordinating task force operations in each city we visited, we examined the following four criteria:

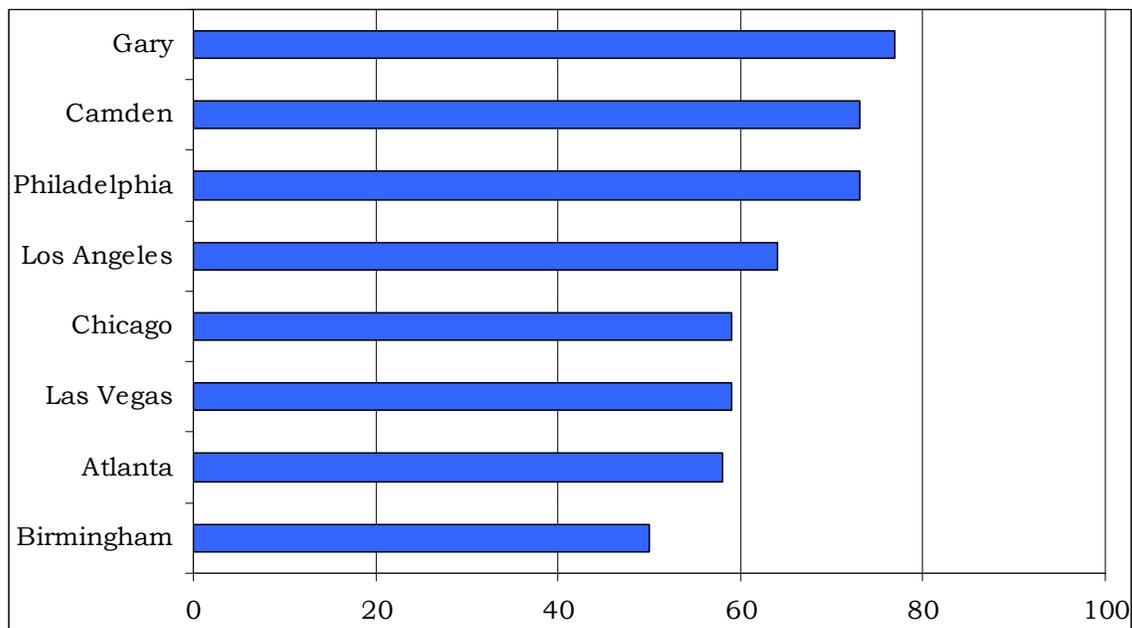
- Does the U.S. Attorney sponsor a regular meeting for local, state, and federal agency leaders?
- Does the U.S. Attorney sponsor a regular meeting to coordinate task force investigations?
- Does the U.S. Attorney have internal coordination resources or methods (other than meetings)?
- Has the U.S. Attorney resolved jurisdictional disputes over specific investigations?

Based on these criteria, each of the U.S. Attorneys in the eight cities we visited provided some coordination for violent crime task force operations. For example, in Gary, Assistant U.S. Attorneys worked directly with each task force and met regularly with task force managers to coordinate task force operations. In Philadelphia, the U.S. Attorney and the Philadelphia Police Commissioner sponsored monthly meetings where ATF, DEA, FBI, and Philadelphia Police Department task force members coordinated their operations and investigations of selected violent crimes, firearms, and narcotics cases.

However, we found that U.S. Attorneys were not effective in coordinating fugitive task force operations in six cities. Both FBI and USMS fugitive task forces were operating in Atlanta, Birmingham, Chicago, Las Vegas, Los Angeles, and Philadelphia, but the U.S. Attorneys in those cities did not direct the coordination of the fugitive task forces' operations.

Figure 9 shows the total of the U.S. Attorneys' and the components' coordination scores for each of the eight cities we visited. The following sections explain the higher coordination scores achieved by the components' task forces in several of the eight cities.

Figure 9: Task Force Coordination by U.S. Attorneys and Components in Eight Cities



NOTE: The task force coordination score in each city is the sum of the four components' scores and the U.S. Attorney's score.

The use of information-sharing systems was the critical factor in achieving cooperation on individual task force investigations.

Task forces need to share information and coordinate individual investigations to avoid duplicate investigations. DEA task forces consistently used information-sharing systems, but ATF, FBI, and USMS task forces did not consistently use information-sharing systems and sometimes duplicated investigations as a result. For example:

- In Philadelphia, Deputy Marshals reported three examples in 2006 in which FBI Safe Streets Task Force members duplicated ongoing USMS fugitive investigations. The FBI coordinates its fugitive investigations with the Philadelphia Police Department Major Crimes and Homicide Divisions. However, FBI Safe Streets Task Force members duplicated ongoing USMS fugitive investigations when they attempted to apprehend fugitives under investigation by the USMS task force without first obtaining federal Unlawful Flight to Avoid Prosecution warrants, which are entered into the Warrant Information Network.

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- In Philadelphia, the FBI conducted a preliminary investigation to obtain a federal Unlawful Flight to Avoid Prosecution warrant and duplicated a fugitive investigation the USMS task force was conducting. The FBI Special Agent reported that he checked the National Crime Information Center (NCIC) database before seeking the warrant to see if another warrant had been issued for the fugitive, but “nothing showed up.”³⁰ He did not contact the USMS to check the federal Warrant Information Network or use the local deconfliction system.
 - In Atlanta, members of the FBI Safe Streets Task Force told us that in 2005 the Atlanta Police Department called them for help on a gang arrest. While the FBI Safe Streets Task Force was conducting the operation, Atlanta Police Department officers asked eight ATF Special Agents to help out. The ATF Special Agents went to the scene without coordinating their participation in the arrest with the FBI.

Not all of the components’ task forces in the cities that we visited have a policy requiring the sharing of information, and when they do have a policy, not all the task forces comply with it. Table 5 shows whether the task forces have a policy to share information on investigations, the task forces’ compliance with the policy, and the task forces’ use of HIDTA information-sharing systems.

³⁰ NCIC is a database that provides federal, state, and local law enforcement with information on criminal histories and open warrants. NCIC is not maintained in real time and is not a substitute for local deconfliction systems.

Table 5: Information Sharing for Cooperation on Investigations in Eight Cities

CITIES	ATF		DEA		FBI		USMS	
	<i>Policy</i>	<i>Comply</i>	<i>Policy</i>	<i>Comply</i>	<i>Policy</i>	<i>Comply</i>	<i>Policy</i>	<i>Comply</i>
Gary	Y	Y*	Y	Y*	Y	Y*	Y	Y*
Camden	Y	Y*	N	N/A*	Y	Y*	N	N/A*
Philadelphia	Y	Y*	Y	Y*	Y	N	N	N/A*
Los Angeles	N	N/A*	Y	Y*	N	N/A*	Y	Y*
Chicago	Y	Y*	Y	Y*	Y	N	Y	N
Las Vegas	N	N/A*	Y	Y*	Y	Y	Y	Y*
Atlanta	Y	Y	N	N/A	N	N/A	N	N/A
Birmingham	N	N/A	Y	Y*	N	N/A	N	N/A

* Task forces use HIDTA information-sharing systems to coordinate.

When the task forces use information-sharing systems, they use them most often to avoid duplicating investigations rather than to cooperate in joint investigations. When task force members identify overlapping investigations, one task force’s members usually stop their investigation rather than conduct a joint investigation with another task force. In the eight cities we visited, ATF task forces cooperated in joint investigations in three cities. DEA task forces participated in joint investigations in one city, and USMS and FBI task forces conducted joint fugitive investigations in one city.

When we asked why task force members did not conduct more joint investigations, the most commonly cited reasons were a lack of trust regarding sharing law enforcement sensitive information (such as the names of confidential informants), potential interference with other investigations, and protection of “turf” from other task forces with overlapping areas of responsibility. Task force managers also pointed out that their task forces are conducting investigations within their particular missions the majority of the time.

Although we did not find that the components often worked together on joint investigations, when they did, we found examples of coordination that proved useful:

- In Atlanta, an ATF Special Agent assigned to a USMS Regional Fugitive Task Force was investigating gun trafficking by a gang

member when a criminal history check disclosed a warrant for the gang member's arrest. The USMS Regional Fugitive Task Force members surrounded the gang member's house and made the arrest. They found a gun inside, and the ATF Special Agent was able to make an unlawful possession of a firearm case that resulted in a 35-year sentence.

- In Camden, the ATF Violent Crime Impact Team and the DEA Mobile Enforcement Team agreed to exchange Special Agents. The ATF Special Agent assigned to the DEA's Mobile Enforcement Team was able to use the threat of prosecution on federal gun charges to facilitate investigations, and the DEA Special Agent on ATF's Violent Crime Impact Team was able to provide critical information to an ongoing investigation.
- In Gary, a fugitive was wanted by the FBI because he was suspected of shooting an Indianapolis police officer. The FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force planned a joint investigation and arrested the fugitive in East Chicago, Indiana. The Chief of Police praised the cooperation between the FBI and the USMS in this case.

Even when task force managers decided to cooperate in joint investigations, the task forces sometimes had problems working together. For example, in Chicago, FBI Special Agents and USMS Deputy Marshals conducted a joint murder investigation in which the USMS Regional Fugitive Task Force and the USMS Electronic Surveillance Unit were supporting the investigation with electronic surveillance. The supervisor of the USMS Electronic Surveillance Unit stated that he and the FBI supervisor coordinated their efforts but that USMS Deputy Marshals reported that FBI Special Agents working in the field refused to share information during the investigation. FBI task force managers stated to the OIG that the FBI only participates in a joint investigation as the overall lead agency. They also stated that because the FBI is the lead agency, FBI Special Agents share information in accordance with FBI policy.

The critical factor in event deconfliction was task force compliance with policies mandating the use of a deconfliction system for every event.

Event deconfliction is the final opportunity to coordinate individual task force investigations. Deconfliction alerts task force members that an event may conflict with an event planned by other law enforcement

agencies for the same place and time so they can avoid disruptive and potentially dangerous interference with one another's operations.

Furthermore, the need for deconfliction increases when there has been less effective coordination at other levels. When managers fail to direct the coordination of task force operations and task force members do not share information to avoid duplication or conduct joint investigations, deconfliction becomes critical.

We found that members of the Department's violent crime task forces effectively deconflicted most events. DEA task force members were the most consistent at deconflicting events in the cities we visited. DEA task force members in all eight cities used HIDTA information-sharing systems. ATF task force members deconflicted events in seven cities, although deconfliction was only required by policy in four cities. USMS task force managers established a local policy to deconflict events in five cities, and task force members complied with the policy in all five cities. The USMS also deconflicted events in one city even though no policy required it. FBI task force managers had a local policy to deconflict events in three cities, but members consistently complied with the policy in only one of these cities. In addition, FBI task force members deconflicted events in one city even though no policy required it.

LA Clear

One example of an effective deconfliction system is the Los Angeles HIDTA deconfliction system, LA Clear. Every law enforcement agency that operates in Los Angeles County has agreed to use LA Clear for event deconfliction during felony investigations. The Special Agents and Deputy Marshals we interviewed credited the reliability and quick response time of LA Clear for the lack of blue-on-blue incidents, despite the high number of law enforcement events in Los Angeles.

Table 6 shows whether the task forces had a policy to deconflict events, the task forces' compliance with the policy, and the task forces' use of HIDTA event deconfliction systems.

Table 6: Event Deconfliction in Eight Cities

CITIES	ATF		DEA		FBI		USMS	
	<i>Policy</i>	<i>Comply</i>	<i>Policy</i>	<i>Comply</i>	<i>Policy</i>	<i>Comply</i>	<i>Policy</i>	<i>Comply</i>
Gary	Y	Y*	Y	Y*	Y	Y*	Y	Y*
Camden	N	N/A*	Y	Y*	N	N/A*	N	N/A*
Philadelphia	Y	Y*	Y	Y*	N	N/A	Y	Y*
Los Angeles	N	N/A*	Y	Y*	N	N/A*	Y	Y*
Chicago	Y	Y*	Y	Y*	Y	N	Y	Y
Las Vegas	Y	Y*	Y	Y*	N	N/A	Y	Y*
Atlanta	N	N/A*	Y	Y*	Y	N	N	N/A
Birmingham	N	N/A	Y	Y*	N	N/A	N	N/A

* Task forces use HIDTA information-sharing systems to deconflict.

Failures to deconflict events can lead to dangerous situations. Task force members in three cities told us of blue-on-blue incidents that occurred because not all of the task forces operating there had deconflicted events:

- In Atlanta, a USMS Regional Fugitive Task Force member told us that he was conducting surveillance in a fugitive’s neighborhood when members of an FBI Safe Streets Task Force, who were also conducting surveillance, pulled him over because he was using a car similar to one associated with the fugitive. The USMS Regional Fugitive Task Force member stated that the FBI Safe Streets Task Force members ordered him to exit his car and identify himself. Neither the FBI nor the USMS requires its task force members to deconflict events, and neither of the task forces’ members voluntarily deconflicted their surveillance.
- In Chicago, an ATF Assistant Special Agent in Charge stated that an ATF confidential informant and an undercover ATF Special Agent bought a loaded gun from an FBI Safe Streets Task Force confidential informant. After the buy was completed, the ATF undercover agent was arrested. A few weeks earlier, FBI Safe Streets Task Force members had checked for investigations that overlapped those involving the confidential informant, but had not deconflicted the planned gun sale.

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- In Las Vegas, the ATF Resident Agent in Charge stated that ATF conducted an undercover firearms operation at a gun show and deconflicted through LA Clear, the HIDTA system that covers Las Vegas as well as Los Angeles County. LA Clear did not identify any potential conflicts. At the show, ATF arrested an individual who made an illegal gun purchase from an undercover ATF agent. The individual then claimed to be an FBI confidential informant working at the show on behalf of the FBI. According to ATF, despite numerous conversations between ATF and the FBI after the incident, the FBI refused to explain why FBI Special Agents had not deconflicted their undercover operation and refused to confirm or deny that the suspect was an FBI confidential informant. An FBI Supervisory Special Agent also declined to confirm or deny to OIG whether the individual was an FBI informant and stated that all agencies are secretive about their confidential informants and that many suspects claim they are confidential informants when they are not.

Coordination of Task Force Investigations in Eight Cities

Across the eight cities we visited, the components use a variety of methods to coordinate task force investigations. In this section, we describe in detail the combined coordination efforts of the components and the U.S. Attorneys in each of the eight cities we visited. We begin with the city that exhibits the highest level of task force coordination based on our criteria and present information on task force management, cooperation on investigations, and event deconfliction for each city in order of the level of coordination.

Gary, Indiana

The following task forces operate in Gary: an ATF violent crime task force (not a VCIT), a DEA task force, an FBI Safe Streets Task Force, and a USMS Regional Fugitive Task Force. The ATF Resident Agent in Charge, DEA Assistant Special Agent in Charge, FBI Safe Streets Task Force Supervisor, and the Chief Deputy Marshal credit the coordination efforts of the U.S. Attorney and local policies requiring the use of the local HIDTA information-sharing system for the effective coordination of resources and the minimal duplication of effort in Gary.

Task Force Management. Three task forces with anti-gang missions have the potential for duplicating operations in Gary: the FBI Safe Streets Task Force and two local task forces established by ATF and

the DEA. We found consistent coordination efforts by each task force resulting from guidance provided by the U.S. Attorney and the task forces' use of the local HIDTA information-sharing system. The FBI Safe Streets Task Force Supervisor said, "We have not crossed paths [with ATF] as far as task force operations are concerned." The DEA Assistant Special Agent in Charge said, "We have our paths pretty well defined, everybody stays in their lanes," and the ATF Resident Agent in Charge said, "I feel we're in a good position. I understand the mission of the FBI [Safe Streets Task Force] and [the] DEA."

Two task forces have fugitive apprehension responsibilities and the potential for duplicating fugitive investigations – the FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force – but the two task forces coordinate fugitive operations. The FBI Safe Streets Task Force Supervisor said, "There is no reason to fight it. I just hand them [state and local fugitive investigations] off." The Chief Deputy U.S. Marshal said, "We're not seeing a problem here" with FBI and USMS fugitive missions and said that the FBI Safe Streets Task Force gives the USMS every warrant it has. The USMS Regional Fugitive Task Force Coordinator said, "I haven't come across a case yet that they [the FBI] have been working and we've been working."

The U.S. Attorney's Office coordinates task force operations to avoid duplication. Assistant U.S. Attorneys work directly with each task force and then coordinate their investigations with each other. The U.S. Attorney said, "After identifying targets, we decide who goes after them with the existing task forces." A Special Agent in Charge, a Resident Agent in Charge, and the Chief Deputy Marshal praised the coordination efforts of the U.S. Attorney. The ATF Resident Agent in Charge said, "Our relationship with [the U.S. Attorney] is a beautiful thing. I love the way they have it set up."

Despite the coordinated efforts, each task force actively recruits local police departments to participate on the task forces and competes for the limited number of available local police officers. One ATF Group Supervisor said that ATF has to "put together a hell of a deal" to recruit local task force members. One Chief of Police told us, "Sure, I've had to turn down federal task forces." Some task forces have an advantage over other task forces when recruiting because they are able to provide more incentives to the local police departments. One local task force officer said that his department is "in awe" of the resources and equipment provided by the FBI Safe Streets Task Force and that other officers call

the task force to use their mini-cameras, surveillance cars, and other equipment.

Cooperation on Investigations. All of the components have local policies to coordinate investigations, including use of the local HIDTA information-sharing system, and all of the components comply with the policies. Task force managers stated that local policies requiring the use of the HIDTA system prevent duplicate investigations, although we found some overlapping investigations.

Although task force members share information, the task forces do not often conduct joint investigations. Both the ATF task force and the FBI Safe Streets Task Force have an anti-gang focus. The ATF Resident Agent in Charge and task force supervisor said the ATF task force only investigates firearms crimes but acknowledged that most of their suspects are gang members. The ATF Resident Agent in Charge and task force supervisor also stated that if task force members determine that a suspect is under investigation by the FBI Safe Streets Task Force, the task force members would share intelligence and conduct a joint investigation. However, the FBI Safe Streets Task Force Supervisor and task force members said that they do not work with the ATF task force. They said that they investigate firearms crimes discovered during ongoing FBI Safe Streets Task Force investigations on their own, rather than turn intelligence over to ATF.

Event Deconfliction. The task forces have local policies to deconflict all events. Special Agents, Deputy Marshals, and local officers said that task force members comply with this policy because the ATF, DEA and FBI task forces are required to deconflict events through the HIDTA. There were no blue-on-blue incidents in Gary.

Camden, New Jersey

All four task forces operate in Camden: an ATF Violent Crime Impact Team, a DEA Mobile Enforcement Team, an FBI Safe Streets Task Force, and a USMS Regional Fugitive Task Force. Although some of the task forces in Camden have similar missions, local task force managers avoid duplication of effort through regular meetings and task force members generally use information-sharing systems to cooperate on investigations and deconflict events without being required to do so by local policies.

Task Force Management. The task forces in Camden have overlapping violent crime and fugitive missions. For example, both the ATF Violent Crime Impact Team and the FBI Safe Streets Task Force have anti-gang missions. The Assistant U.S. Attorney who works directly with the FBI Safe Streets Task Force said that the local HIDTA information-sharing system and the local Weed and Seed meeting sponsored by the U.S. Attorney, the Camden County Prosecutor's Office, and the Camden Police Department are the two main ways the task forces coordinate investigations to avoid "stepping on each other's toes." The Law Enforcement Coordinator said that communication in Camden is "better than it has ever been."

The FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force have overlapping fugitive apprehension responsibilities, but the two task forces agree that the USMS takes the lead in apprehending fugitives in Camden. The FBI Safe Streets Task Force Supervisor said the task force does investigate FBI fugitive cases, but it does not have the resources to investigate state and local fugitive cases. The Commander of the USMS Regional Fugitive Task Force said, "I don't see this Safe Streets Task Force doing fugitive investigations in Camden. I don't think it's a problem here because they don't have the people. They are doing a great job looking at gangs here."

Despite the coordinated efforts, some competition for local law enforcement participation exists among the task forces. The ATF Resident Agent in Charge said that he has had problems recruiting local officers for the ATF Violent Crime Impact Team. He said that the local Sheriff's Office declined to join the ATF Violent Crime Impact Team and pulled back its officers on a previous ATF task force. The ATF Resident Agent in Charge later found out that those same officers had been reassigned to an FBI task force.

Cooperation on Investigations. ATF and the FBI have local policies requiring cooperation on task force investigations. However, most Special Agents, Deputy Marshals, and local officers voluntarily use the local HIDTA information-sharing system to coordinate investigations. One local law enforcement officer assigned to the USMS Regional Fugitive Task Force said that coordinating his investigation by checking suspects in the HIDTA system uncovered overlaps between the USMS Regional Fugitive Task Force and the DEA Mobile Enforcement Team. In most cases, he said, the USMS Regional Fugitive Task Force stood down to allow the DEA Mobile Enforcement Team investigation to continue. The local law enforcement officer also recalled a "few cases" when he checked

the HIDTA system and discovered that the fugitive he was attempting to apprehend had both a state warrant and an FBI warrant open. In these multiple warrant cases, the local law enforcement officer said that the FBI and USMS worked together in the subsequent investigation.

The task forces also share intelligence on an informal basis. One FBI Special Agent assigned to the FBI Safe Streets Task Force said that DEA Special Agents with the DEA Mobile Enforcement Team came to him seeking assistance and intelligence on some suspects and that he shared information he had. A Supervisory Deputy U.S. Marshal Supervisor said that the DEA Mobile Enforcement Team frequently used USMS Regional Fugitive Task Force intelligence resources. The Commander of the USMS Regional Fugitive Task Force also said that he met with ATF to discuss what the ATF Violent Crime Impact Team could do to get a “jumpstart” when it deployed in Camden.

A DEA Special Agent gave the following example: The DEA identified a group of suspects that was running heroin from Allentown, Pennsylvania, to North Camden, New Jersey. The DEA obtained warrants and captured a significant suspect with the help of the USMS. The suspect agreed to cooperate and identified other suspects who are now under investigation by the ATF Violent Crime Impact Team. The ATF Violent Crime Impact Team determined that one suspect may be connected to a corrupt police officer, so ATF planned to invite the FBI to join the investigation.

Special Agents and Deputy Marshals do not routinely participate on each other’s task forces in Camden, but in one instance, task forces coordinated investigations by assigning Special Agents to each other’s task force. The ATF Violent Crime Impact Team assigned an ATF Special Agent to the DEA Mobile Enforcement Team, and the DEA assigned a Special Agent to the ATF Violent Crime Impact Team. The ATF Special Agent working with both task forces developed firearms cases out of DEA Mobile Enforcement Team arrests and made undercover firearms purchases through drug organizations to develop intelligence that benefited the DEA Mobile Enforcement Team.

Event Deconfliction. All of the task forces voluntarily use the local HIDTA information-sharing system to deconflict events. There were no blue-on-blue incidents in Camden.

Philadelphia, Pennsylvania

An ATF Violent Crime Impact Team, a DEA Mobile Enforcement Team, and three FBI Safe Streets Task Forces operate in Philadelphia. A USMS District Fugitive Task Force there works closely with the USMS Regional Fugitive Task Force located in neighboring Camden. Task force members regularly attend coordination meetings sponsored by the U.S. Attorney's Office and use the local HIDTA information-sharing system to coordinate gang-related crime, violent crime, and fugitive investigations and to deconflict events.

Task Force Management. Every month, the U.S. Attorney's Office and the Philadelphia Police Department sponsor a meeting in each of the six Philadelphia Police Department detective divisions to share intelligence about violent crime, firearms, and narcotics investigations and to coordinate operations and investigations among federal, state, and local law enforcement agencies. At the meetings, investigations are assigned to the task force best capable of conducting them. An Assistant U.S. Attorney said all law enforcement agencies in Philadelphia participate, including ATF, the DEA, the FBI, and the USMS.

An Assistant U.S. Attorney provided this example of coordination at one of the meetings: When ATF developed information from one of its confidential informants about a drug trafficker in the Central Division, ATF turned the information over to the DEA because the ATF Violent Crime Impact Team was primarily working in the Southwest Division and the DEA was willing to open an investigation in the Central Division.

Some of the task forces in Philadelphia have similar missions. The ATF Violent Crime Impact Team and an FBI Safe Streets Task Force have anti-gang missions, creating the potential for duplication. The FBI Assistant Special Agent in Charge said that the missions of the ATF Violent Crime Impact Team and FBI Safe Streets Task Force are different and that there is no duplication because the FBI is not interested in making felon-in-possession of a firearm cases. Special Agents and Assistant U.S. Attorneys said any duplication of investigations or task force disputes are resolved at the monthly coordination meeting and case-specific meetings with the U.S. Attorney's Office.

One of the FBI Safe Streets Task Forces and the USMS District Fugitive Task Force have duplicate fugitive missions. The USMS created a multi-agency District Fugitive Task Force in Philadelphia in 1983 to apprehend violent local, state, and federal fugitives. The FBI created an

FBI Safe Streets Task Force there in 1993 as a fugitive squad. According to the Chief Deputy U.S. Marshal, on the 10th anniversary of the USMS District Task Force's creation, the FBI held a press conference announcing the creation of the FBI Safe Streets Task Force and stating that the city needed a fugitive task force. Both task forces continue to operate in Philadelphia, and both adopt violent fugitive investigations from the Philadelphia Police Department and other local agencies.

We found one instance in which the coordination of a DEA Mobile Enforcement Team in Reading, Pennsylvania (outside of Philadelphia), was only partially effective. According to documents and statements provided by the DEA, the Reading Chief of Police requested a DEA Mobile Enforcement Team deployment on March 1, 2005. An Assistant U.S. Attorney reported to the OIG that after the Chief's request, there were coordination difficulties between the DEA, the FBI, and ATF because ATF and the FBI were already conducting task force operations in Reading and were concerned that their confidential informants would be arrested by the DEA Mobile Enforcement Team. In response to the other components' concerns, the Philadelphia DEA Special Agent in Charge met with the Philadelphia FBI and ATF Special Agents in Charge to better coordinate the deployment.

On March 16, 2005, a meeting was held to discuss the specifics of the deployment. Representatives of the U.S. Attorney's Office; the DEA; ATF; the Pennsylvania State Police; the Berks County, Pennsylvania, District Attorney's Office; and the Reading Police Department attended. The Reading Police Department officers included a Sergeant who was a full-time member of the FBI Safe Streets Task Force. The DEA Assistant Special Agent in Charge believed that the Reading Police Sergeant was representing the interests of the FBI Safe Streets Task Force. However, the Sergeant stated to the OIG that he did not represent the FBI at the meeting and that he stated this at the meeting.

DEA documents showed that after the March 16 meeting, the DEA opened a case file to support the DEA Mobile Enforcement Team deployment to Reading on March 17, 2005. The DEA Philadelphia Field Division completed the pre-deployment assessment on April 5, DEA managers approved funding for the deployment on April 6, and the DEA Mobile Enforcement Team began operations in Reading on April 18, 2005.

An FBI Assistant Special Agent in Charge in Philadelphia stated that there was no cooperation between the FBI and the DEA before or

during the deployment of the DEA Mobile Enforcement Team to Reading. The FBI Special Agent who supervised the FBI Safe Streets Task Force in Reading stated that the FBI was not invited to the March 16, 2005, pre-deployment coordination meeting. The supervisor also stated that there was no cooperation between the DEA Mobile Enforcement Team and the FBI Safe Streets Task Force prior to, during, or after the deployment.

An Assistant U.S. Attorney stated that the U.S. Attorney's Office had to mediate several meetings involving ATF, the DEA, and the FBI to determine how federal targets of the Reading DEA Mobile Enforcement Team deployment would be deconflicted. He also stated that individual DEA and FBI task force operations were deconflicted by the Berks County District Attorney's Office. Despite the coordination issues, an Assistant U.S. Attorney and an ATF Supervisory Special Agent stated that ATF, DEA, FBI, and state and local law enforcement operations were deconflicted during the DEA Mobile Enforcement Team deployment in Reading.

All of the components invite local law enforcement to participate on their task forces. As a result, a Chief Inspector of the Philadelphia Police Department said that participation on the task forces was becoming a drain on department resources. The Chief Inspector complained that there are no efforts by the components to coordinate requests for local task force participation and said that the Special Agents in Charge exploit the fact that the police department will not refuse requests for participation on the task forces.

Cooperation on Investigations. ATF, the DEA, and the FBI have local policies requiring the use of information-sharing systems, but the USMS does not. ATF and FBI Special Agents in Charge said that it was their local offices' policy that their task forces use the HIDTA information-sharing system to coordinate investigations. For example, the ATF Violent Crime Impact Team and the FBI Violent Gang Safe Streets Task Force, which had overlapping gang investigations, shared information to facilitate gang investigations in Philadelphia's 12th Police District. The DEA Special Agent in Charge said DEA policy mandates that all investigations be entered into the HIDTA system. Special Agents, Deputy Marshals, and local officers stated that all task forces, except for the FBI task forces, comply with coordination policies. An FBI Special Agent assigned to an FBI Safe Streets Task Force said there is no coordination at the early stage of an investigation. Although the USMS does not have a policy, the Chief Deputy U.S. Marshal said the USMS uses the HIDTA system to coordinate fugitive investigations. FBI task

force members stated that they do not use the HIDTA to coordinate non-drug investigations but deconflict operations through the Philadelphia Police Department.

The FBI and the USMS fugitive task forces duplicate investigations. The Philadelphia Police Department divides its warrants among its gun violence squad, the FBI, and the USMS. The Top 10 Most Wanted fugitives in Philadelphia are divided in half between the FBI and the USMS. Every Monday, one of Philadelphia's Top 10 Most Wanted is advertised in the newspaper – the ad alternates every week with FBI and USMS fugitives. A telephone number for the appropriate component is included, but occasionally the newspaper switches the components' names or telephone numbers. When this happens, the components must relay the tips that were phoned in to the other component. Regarding the FBI Safe Streets Task Force and the USMS District Fugitive Task Force, a Chief Inspector of the Philadelphia Police Department said, "That's where the biggest duplication of effort is." The FBI and the USMS reported the following examples of duplication:

- USMS task force officers were conducting a fugitive investigation when task force members found out from a witness that the task force was a few hours behind FBI Safe Streets Task Force officers who were asking questions about the same fugitive.
- Deputy Marshals reported three examples in which the FBI was actively attempting to apprehend fugitives under investigation by the USMS task force. We confirmed that the FBI had not obtained federal Unlawful Flight to Avoid Prosecution warrants for these fugitives.
- The Philadelphia Police Department requested the FBI Safe Streets Task Force's assistance to find and arrest a rape suspect who the USMS task force was already investigating for a parole violation.

Because of the duplication of effort, there are tensions between the FBI Safe Streets Task Force and the USMS District Fugitive Task Force. FBI Special Agents and USMS Deputy Marshals expressed concerns regarding task forces "stealing" one another's cases, incorrect statistics, and failure to honor Memorandums of Understanding regarding fugitive investigation responsibilities.

Event Deconfliction. Three of the four components have a policy to deconflict events using the HIDTA information-sharing system. The ATF

Special Agent in Charge said it is his policy to use the local HIDTA system to deconflict events. The DEA Special Agent in Charge said nation-wide DEA policy mandates that all events be deconflicted and that it is local policy to deconflict through the local HIDTA system. A local officer assigned to the USMS District Task Force said use of the local HIDTA system for event deconfliction is mandatory because it is a safety issue. The FBI Violent Gang Safe Streets Task Force has a policy and uses the HIDTA system to deconflict events. The FBI Safe Streets Task Force that focuses on fugitives does not have a policy requiring the use of the HIDTA system for deconfliction. Instead, this task force deconflicts state and local fugitive investigations through the Philadelphia Police Department. No blue-on-blue incidents were reported in Philadelphia.

Los Angeles, California

All four types of task forces operate in Los Angeles: an ATF Violent Crime Impact Team, two DEA Mobile Enforcement Teams, two FBI Safe Streets Task Forces, and a USMS Regional Fugitive Task Force. We found coordination of task force investigations to be mixed. Because federal, state, and local law enforcement agencies routinely use LA Clear to deconflict events, the task forces have been successful in avoiding blue-on-blue incidents.

Task Force Management. The U.S. Attorney does not directly coordinate task force operations through regular meetings or other efforts. Instead, Assistant U.S. Attorneys work with the FBI Violent Gang Safe Streets Task Force and the ATF Violent Crime Impact Team to coordinate individual gang-related crime investigations. ATF and FBI Special Agents stated that they compete in Los Angeles because the two gang task forces work with the same Los Angeles Police Department officers. However, task force supervisors and members said that because Los Angeles and its gang problem are so large, task force members believe that each task force has more than enough work and the chance of overlapping investigations is small. A U.S. Attorney's Office official told the OIG that she believes, "Overlaps never happen," and the possibility that investigations will overlap "is an absurd notion."

There are two task forces with fugitive missions: an FBI Safe Streets Task Force and a USMS Regional Fugitive Task Force. The FBI Special Agent in Charge, the U.S. Marshal, and local police supervisors said that, although both are fugitive task forces, the task forces pursue different types of fugitives. But we found tensions between the two task forces, and FBI Special Agents told the OIG that the USMS misrepresents

the FBI when meeting with other law enforcement agencies: “The USMS tells the locals that the FBI isn’t doing fugitives anymore, but that’s not true.”

Cooperation on Investigations. Task force members stated that they coordinate investigations through LA Clear and that this coordination helps them avoid duplicate investigations. The task forces also cooperate through the implementation of Memorandums of Understanding and occasionally conduct joint investigations. For example, the USMS Regional Fugitive Task Force supports ATF and DEA task forces by investigating their fugitives, and ATF and the DEA assigned Special Agents to the USMS Regional Fugitive Task Force to assist in fugitive investigations.

Despite the Department’s policy on fugitive investigations, the FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force failed to coordinate an international fugitive investigation with each other.

THE FBI AND THE USMS FAILED TO COORDINATE AN INTERNATIONAL FUGITIVE INVESTIGATION

The Los Angeles County District Attorney’s Office requested the FBI’s assistance in capturing a fugitive, and the FBI obtained a federal Unlawful Flight to Avoid Prosecution warrant. The following conflicting accounts provided by the FBI and USMS task forces describe the uncoordinated attempts to apprehend the same fugitive.

<i>FBI Safe Streets Task Force</i>	<i>USMS Regional Fugitive Task Force</i>
<p>In 2005, a source told a Deputy Marshal on the Regional Fugitive Task Force that the fugitive had fled to Mexico. The FBI had Special Agents in Mexico waiting to make the arrest. However, the Los Angeles County District Attorney had not agreed to allow the FBI to state to the Mexican authorities that California would not seek the death penalty, as required by the extradition treaty between the United States and Mexico. Meanwhile, the USMS told the local District Attorney that it could get the defendant out of Mexico immediately. Deputy Marshals and Mexican authorities arrested the fugitive, and he was returned to the United States. The FBI Special Agent in Charge of the Safe Streets Task Force stated that he had informed the USMS that its proposed action was dangerous and that he told the FBI Special Agents in Mexico to stand down so that no one would get hurt. When the FBI Special Agent in Charge of the Safe Streets Task Force asked the Deputy Marshals to justify their actions, they initially denied that the incident had occurred. FBI Special Agents stated that incidents like this one make it more difficult to coordinate future task force investigations.</p>	<p>In 2005, the Los Angeles County District Attorney’s Office called the USMS Regional Fugitive Task Force and requested assistance in locating and apprehending a fugitive. The Regional Fugitive Task Force determined that the fugitive was the subject of an FBI federal warrant, so the USMS advised the District Attorney’s Office that, because of the FBI’s federal warrant, the Regional Fugitive Task Force would not investigate. The District Attorney’s Office informed the FBI that its assistance in the investigation was no longer desired and requested that the federal warrant based on their local charges be quashed. For several months, up through the issuance of a provisional arrest warrant for the fugitive in Mexico, the FBI continued to insist that it would maintain control of the investigation, despite the District Attorney’s Office’s desire to have the USMS arrest the fugitive and arrange for his return to the United States. With the District Attorney’s approval, Deputy Marshals and Mexican authorities made the arrest, and the fugitive was returned to the United States.</p>

Event Deconfliction. The task forces routinely use LA Clear to deconflict events. Even though there are multiple task forces in Los Angeles – an ATF Violent Crime Impact Team, two DEA Mobile Enforcement Teams, two FBI Safe Streets Task Forces, and a USMS Regional Fugitive Task Force – the task forces’ members stated that because their task forces use LA Clear to deconflict events, there had been no blue-on-blue incidents in Los Angeles. An ATF Special Agent emphasized the lesson he learned when he failed to deconflict a law enforcement event: A team of ATF Special Agents had a residence under surveillance all night before they noticed other government cars. One of the ATF Special Agents recognized an FBI Special Agent in one of the cars, so they made some phone calls and verified that it was the FBI. The ATF Special Agent acknowledged that he had not called LA Clear before the operation to deconflict the event.

Chicago, Illinois

Chicago has a DEA Mobile Enforcement Team, three FBI Safe Streets Task Forces, and a USMS Regional Fugitive Task Force. There is also a local ATF task force in Chicago. Although anti-gang task force investigations are well coordinated through the U.S. Attorney’s Office, the components are reluctant to cooperate on other violent crime and fugitive investigations.

Task Force Management. Although both ATF and two of the FBI Safe Streets Task Forces have anti-gang crime missions, there is little duplication of effort because the U.S. Attorney coordinates all gang investigations through a monthly gang strategy meeting called the “Top 20” meeting. At the Top 20 meetings, representatives from ATF, the DEA, the FBI, and the Chicago Police Department share intelligence on their gang targets and, based on the intelligence, update the Top 20 gang targets. The component with the best intelligence on a target normally leads the investigation, and the other components share information with that component. An ATF Special Agent stated that sometimes there was “head butting” over who had the best intelligence, but the U.S. Attorney decides which component leads the investigation.

Even if a gang target does not attain Top 20 status, the components coordinate gang investigations through the U.S. Attorney’s Office. Individual Assistant U.S. Attorneys are assigned to specific gangs. If there is an overlapping investigation, the U.S. Attorney’s Office decides which task force will handle the investigation.

ATF, DEA, and FBI Special Agents told us that the components and task force members have developed close partnerships with the local police department and that the local police department serves as the coordinating mechanism for task force efforts. As a result of the Top 20 meetings and the coordination efforts of the local police, we found little overlap in the anti-gang operations of federal task forces in Chicago. However, we found limited efforts to coordinate fugitive task force efforts.

For example, the creation of a new USMS Regional Fugitive Task Force overlapped with an existing FBI Safe Streets Task Force. The FBI Safe Streets Task Force began solely as a fugitive unit, with the USMS, the Chicago Police Department, and the Cook County Sheriff's Office as partners. When the USMS Regional Fugitive Task Force was created, the U.S. Marshal and the Chicago Police Department reassigned the Deputy Marshals and the entire Chicago Police Department Fugitive Squad from the FBI Safe Streets Task Force to the USMS Regional Fugitive Task Force. An FBI Special Agent stated that a task force member from the Cook County Sheriff's Office gave him only a day's notice that he was leaving for the USMS Regional Fugitive Task Force. The FBI has been invited to participate on the USMS Regional Fugitive Task Force on several occasions, but the FBI has always declined.

The components also compete for local participation on their task forces. An ATF Special Agent pointed out that there are five police officers assigned to the FBI task force, as opposed to the two that are assigned to his task force. The ATF Special Agent also stated that he believed that the difference was a result of the FBI's bigger budget and other incentives, such as asset sharing from seizures.

Cooperation on Investigations. All the components have policies mandating that investigations be coordinated to avoid duplication of effort. ATF, DEA, and FBI policies dictate the use of the local HIDTA information-sharing system to coordinate investigations. But we found that only ATF and the DEA comply with their policies. Moreover, the components do not often cooperate on joint investigations. An ATF Special Agent stated that his component does "not make a habit of working with the other components." An FBI Special Agent stated, "If I can avoid it, I won't work any joint investigations with other federal agencies." The FBI Special Agent went on to state that he believed his agency does "10 times a better job" than other components and that he believes that other agencies have tried to steal his cases.

There is the potential for fugitive task forces in Chicago to conduct overlapping investigations on state and local cases. Under Illinois law, “investigative alerts” (instead of warrants) are issued for fugitives. Unlike warrants, investigative alerts cannot be entered into NCIC. Therefore, to coordinate fugitive investigations, the FBI Safe Streets Task Force that conducts fugitive investigations and the USMS Regional Fugitive Task Force have agreed that the task force that gets a case first investigates it. To determine if the USMS is already investigating a case, the FBI Safe Streets Task Force asks the local agency referring the investigation if the USMS Regional Fugitive Task Force is involved. The USMS Regional Fugitive Task Force also has agreed not to investigate if the FBI has obtained a federal Unlawful Flight to Avoid Prosecution warrant recorded in the Warrant Information Network. However, FBI Safe Streets Task Force preliminary investigations to determine whether a federal Unlawful Flight to Avoid Prosecution warrant is necessary are not entered into the federal Warrant Information Network or NCIC, which creates the potential for duplication of effort and conflict of operations with the USMS task force.

USMS Regional Fugitive Task Force members acknowledged that there had been conflicts with the FBI in the past, but they believed that the problems had been “quashed” and were now “almost non-existent.” However, interviews with FBI Special Agents indicate that the relationship is still strained and coordination is difficult. An FBI Special Agent stated that the USMS was “less professional” than the FBI, was only interested in “door-kicking cases,” was “in a numbers game,” and arrested “low-level criminals.” Another FBI Special Agent stated that the creation of the Regional Fugitive Task Force had caused “nothing but problems.”

Event Deconfliction. All four components have local event deconfliction policies, but the FBI does not consistently deconflict events. ATF, DEA, and FBI policies mandate the use of the local HIDTA information-sharing system for event deconfliction. The USMS Regional Fugitive Task Force calls other agencies to alert them to upcoming operations. ATF, DEA, and USMS task forces comply with their deconfliction policies. However, one FBI Safe Streets Task Force does not comply with FBI policy to use the local HIDTA system and does not contact other agencies either. An FBI Special Agent stated that if he told the Chicago Police Department that he was “hitting a place,” the investigation would be stolen.

A blue-on-blue incident occurred in Chicago in December 2005 between ATF and the FBI when an ATF confidential informant and an undercover ATF Special Agent bought a loaded gun from an FBI Safe Streets Task Force confidential informant. After the buy was completed, the ATF undercover agent was arrested.

The ATF Special Agent responsible for the undercover operations said that he used the local HIDTA deconfliction system to check the location of the gun sale and the nicknames associated with the seller; there were no hits. Meanwhile, the FBI Special Agent who supervised the FBI Safe Streets Task Force stated that the FBI assumed that the Chicago Police Department would deconflict the sale of the gun by the FBI confidential informant because the Chicago Police Department would be arresting the buyer.

The FBI Special Agent said that the Chicago Police Department did not deconflict the sale because an FBI source had provided the information that led to the investigation and they thought the FBI would handle the deconfliction. In the end, neither the FBI nor the Chicago Police Department deconflicted the undercover sale. The gun buy went through and was followed by a traffic stop of the undercover ATF agent, engineered by the FBI and the Chicago Police Department. Both the undercover ATF Special Agent and the FBI's confidential informant were arrested. Afterwards, ATF, the FBI, and the Chicago Police Department met to discuss the incident, and an FBI Supervisory Special Agent told us that the FBI strengthened its policy to require deconfliction and reiterated the need for deconfliction to all task force members "to avoid a similar mistake."

Las Vegas, Nevada

All four types of task forces operate in Las Vegas: an ATF Violent Crime Impact Team, a DEA Mobile Enforcement Team, two FBI Safe Streets Task Forces, and a branch office of the USMS Pacific Southwest Regional Fugitive Task Force. The task forces' missions overlap, and Special Agents, Deputy Marshals, and task force officers were unable to provide specific examples of successful coordination or deconfliction. To the contrary, they provided several examples of failure to coordinate investigations and described one blue-on-blue incident.

Task Force Management. Although the task forces in Las Vegas have overlapping gang missions, the U.S. Attorney's Office does not coordinate task force operations and instead resolves disputes on an

ad hoc basis. Both the ATF Violent Crime Impact Team and the FBI Violent Gang Safe Streets Task Force focus on reducing gang-related violent crime, sometimes in the same neighborhoods. When their investigations overlap, the U.S. Attorney decides which task force's investigation should take the lead. Local police supervisors told us that they could not differentiate between the ATF Violent Crime Impact Team's and the FBI Violent Gang Safe Streets Task Force's operations.

Two fugitive task forces also operate in Las Vegas: an FBI Safe Streets Task Force, known locally as the Criminal Apprehension Team (CAT), and a joint USMS Regional Fugitive Task Force-District Task Force, known locally as the Fugitive Investigative Strike Team (FIST). Prior to the creation of the FIST, a Deputy Marshal was assigned to the CAT. However, tensions are now high between the two task forces because both conduct fugitive investigations based on state warrants that the task forces receive from the local police department. FBI Special Agents and Deputy Marshals as well as the local Sheriff recognized the duplication of effort and acknowledged tensions between the two agencies. One FBI Supervisory Special Agent said the USMS "doesn't have the capability to chase fugitives." A Supervisory Deputy Marshal said that the FBI should shut down its fugitive efforts because it does not make sense to have two task forces and added, "We want to be in charge of the FBI's fugitives because that's what we do."

Competition also exists for local participation on the task forces. The Sheriff stated that there had been times when he declined participation on a violent crime task force because his department was already participating on a similar task force. The Sheriff said that he recently declined to participate on an FBI task force and that there had been a "flare up" with the USMS because the U.S. Marshal wanted one or two more police officers for the USMS task force.

Cooperation on Investigations. The cooperation on task force investigations in Las Vegas is poor. ATF, DEA, and FBI Special Agents do not regularly share information on specific suspects under investigation and do not conduct joint investigations. The DEA field office specifically declined to work with the FBI Safe Streets Task Force because of tension between the two agencies. The DEA Assistant Special Agent in Charge stated that the DEA's relationship with the FBI was strained because of the FBI's actions in previous overlapping investigations and because of disputes regarding the operation of a local intelligence center. He explained that the DEA, in cooperation with the USMS FIST, had conducted fugitive and criminal investigations on

members of a local motorcycle gang. The FBI Safe Streets Task Force arrested the DEA targets while the DEA task force was planning its arrest operation. However, DEA headquarters reported that the strained relationship in Las Vegas did not directly involve DEA Mobile Enforcement Team operations and that the cooperation level between the FBI and the DEA in Las Vegas is improving.

We also found open hostility between FBI and USMS fugitive task force members, with both conducting investigations of fugitives wanted on state warrants only. The lack of coordination between the CAT and the FIST has created several duplications of effort, for example:

- In the Ohio freeway sniper investigation, both the CAT and the FIST received leads from outside Nevada. The FBI Special Agents and USMS Deputy Marshals both told us that they argued over which task force would attempt to apprehend the suspect but that they never agreed. Eventually, the CAT apprehended the suspect.
- An escapee from a Nevada state prison was believed to have committed a series of violent robberies. The U.S. Attorney received requests for warrants from both the FBI and the USMS to tap and trace cell phones and had to resolve the conflict.

The HIDTA Executive Director noted the animosity between members of the USMS and FBI task forces and stated that “something must be done to ensure officer safety.”

When pressed for an example of coordination, an FBI Special Agent on the CAT said that the FBI recently learned from a confidential informant that a suspect was wanted on a DEA warrant. The FBI did not contact either the DEA or the USMS regarding the lead and instead arrested the suspect. Once the arrest had been made, the FBI contacted the USMS and reported that the defendant was in custody. The USMS told the FBI that the DEA had not transferred the warrant to the USMS and advised the FBI to contact the DEA to assume custody of the defendant. Neither the USMS Deputy Marshals nor the DEA Special Agents involved consider this to be an example of coordination.

Event Deconfliction. All of the components except the FBI have local policies requiring the deconfliction of events. ATF, the DEA, and the USMS comply with their policies by deconflicting through the LA Clear HIDTA system. All of the components and local law enforcement agencies stated that the FBI Safe Streets Task Forces does not use

LA Clear. Some FBI Special Agents stated that task force members do use the system, but other FBI Special Agents stated that task force members do not use LA Clear to deconflict, specifically during fugitive investigations.

ATF and DEA Special Agents reported several incidents in which the FBI failed to deconflict operations, including one blue-on-blue incident:

- The ATF Resident Agent in Charge stated that in June 2005, ATF conducted an undercover firearms operation at a gun show. ATF submitted the operation to LA Clear for deconfliction. LA Clear did not identify any potential conflicts. At the show, ATF arrested an individual for making an illegal gun purchase from an undercover ATF Special Agent. This individual claimed to be an FBI confidential informant working at the show on behalf of the FBI. According to ATF, despite numerous conversations between ATF and the FBI after the incident, the FBI refused to explain why FBI Special Agents had not deconflicted their undercover operation and refused to confirm or deny that the suspect was an FBI confidential informant. An FBI Supervisory Special Agent also declined to confirm or deny to OIG whether the individual was an FBI informant and stated that all agencies are secretive about their confidential informants and that many suspects claim they are confidential informants when they are not.
- A local task force officer stated that his task force was making an undercover drug buy that had been deconflicted through LA Clear. An FBI Special Agent showed up at the same address and at the same time to execute a search warrant. The task force officer said that the FBI had not used LA Clear.

Atlanta, Georgia

All four task forces operate in Atlanta: an ATF Violent Crime Impact Team, a DEA Mobile Enforcement Team, two FBI Safe Streets Task Forces, and a USMS Regional Fugitive Task Force. Overall, we found that task force investigations are not well coordinated.

Task Force Management. We found limited direction of task force operations and target areas in Atlanta. The U.S. Attorney's Office holds monthly meetings attended by representatives from all federal law enforcement agencies, as well as bimonthly law enforcement leadership

meetings attended by the ATF, the DEA, and the FBI Special Agents in Charge and representatives from the State Attorney General's Office and the Georgia Bureau of Investigation. However, task force managers and Assistant U.S. Attorneys told us that task force operations are discussed at these meetings only in general terms.

With respect to coordinating anti-gang task forces, the Assistant U.S. Attorney who is the Anti-Gang Coordinator and also works with the FBI Safe Streets Task Force stated, "We are involved very early on to coordinate targets and who should investigate them." The Assistant U.S. Attorney assigned to the ATF Violent Crime Impact Team stated that members of the task force would inform her of their suspects from the beginning of an investigation. However, task force managers stated that the U.S. Attorney's Office does not have a significant role in the coordination of other violent crime task force investigations.

Although the creation of the ATF Violent Crime Impact Team was coordinated through the U.S. Attorney and the Office of the Deputy Attorney General, ATF did not effectively coordinate with the other component field offices in Atlanta. The ATF Special Agent in Charge admitted that there was potential for their investigations to duplicate one another and stated, "We're doing the same thing." An FBI Supervisory Special Agent stated, "I am truly concerned that we are seriously going to be duplicating [each other's investigations of] gangs."

The fugitive missions of a second FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force also overlap. An Atlanta Police Department Officer assigned to the USMS Regional Fugitive Task Force explained to us that both task forces receive warrants from the Atlanta Police Department, and on occasion, the Atlanta Police Department has unintentionally assigned the same warrant to both task forces. The FBI Safe Streets Task Force also increases the probability of duplication of effort by investigating state and local fugitives without first obtaining a federal Unlawful Flight to Avoid Prosecution warrant, as required by FBI policy. Both FBI Special Agents and USMS Deputy Marshals admitted that there has been friction between the two task forces but also stated that relations have improved.

ATF invited the DEA and the USMS to participate on the ATF Violent Crime Impact Team. In return, both agencies provided points of contact, and ATF provided a full-time member to the USMS Regional Fugitive Task Force. ATF did not approach the FBI because, according to the ATF Special Agent in Charge, both components investigate violent

crime, so cross-participation on the task forces would “wash each other out.” The DEA Mobile Enforcement Team invited other agencies to join its deployments and conduct joint investigations.

Cooperation on Investigations. Only ATF has a local policy to coordinate investigations, but all of the components’ task force members said that they attempt to coordinate through word of mouth. Cooperative efforts are limited because the Atlanta HIDTA information-sharing system does not have the capability to support information sharing to avoid duplicate investigations of the same suspect. A HIDTA official reported that he proposed expanding the HIDTA’s deconfliction capability to include an information-sharing system to help avoid duplicate investigations by the components. The HIDTA official told us and the FBI task force managers confirmed that the FBI declined to participate, and because HIDTA’s operations require consensus by all law enforcement agencies involved, the proposal was not implemented.

The task forces in Atlanta rely on the local police departments for coordination. The fugitive-focused FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force rely on the Atlanta Police Department to coordinate warrants. The DEA Mobile Enforcement Team relies on local police officials to “spread the word” and coordinate the planned deployment with all law enforcement agencies in the area. As a result, the FBI was not aware of a DEA Mobile Enforcement Team deployment to a small town outside Atlanta until a local law enforcement agency told the FBI that the DEA Mobile Enforcement Team was interested in suspects that the FBI was actively investigating. After the FBI became aware of the DEA Mobile Enforcement Team deployment, the DEA and the FBI coordinated and investigated the suspects jointly.

The task forces work together occasionally. For example, USMS Regional Fugitive Task Force members reported that they worked with members of the fugitive-focused FBI Safe Streets Task Force on a high-profile investigation. However, a USMS Regional Fugitive Task Force officer stated, “The case didn’t go well at all.” He stated that although most of the legwork was done by one group of Atlanta Police Department personnel on the USMS Regional Fugitive Task Force, another group of Atlanta Police Department personnel assigned to the FBI Safe Streets Task Force stepped in during the arrest and took credit for it.

Event Deconfliction. Although the Atlanta HIDTA system does not have the capability to support information sharing to avoid duplicate investigations, it can support deconfliction of task force events. The DEA

and the FBI have local policies requiring their task forces to use the HIDTA system to deconflict drug-related events. Neither ATF nor the USMS have policies requiring their task forces to deconflict events in Atlanta. The ATF Violent Crime Impact Team Coordinator stated that he instructs his task force officers to use the HIDTA system for event deconfliction. He provided the following example: The ATF Violent Crime Impact Team was on standby at a location to “hit” a house and called the HIDTA to report the event. Another agency was also preparing to serve a warrant at the same house. Because that agency also called the HIDTA to deconflict, a blue-on-blue was avoided.

Although the FBI has a local deconfliction policy, it covers only events associated with drug investigations. The FBI Violent Gang Safe Streets Task Force has not used the HIDTA information-sharing system to deconflict, and, according to the FBI task force manager, has crossed paths with other task forces. Moreover, because the FBI and the USMS fugitive task forces do not deconflict their law enforcement events, a blue-on-blue incident occurred in Atlanta: A USMS Regional Fugitive Task Force member reported that he was conducting surveillance on a fugitive’s house when he was “pulled over” by members of the FBI Safe Streets Task Force because he was in a car that was similar to the fugitive’s car. The Task Force member told us that he had to get out of his car during the surveillance and identify himself to the FBI Safe Streets Task Force members.

A similar situation occurred between an FBI Safe Streets Task Force and the DEA. An FBI Special Agent stated that the FBI Safe Streets Task Force members were conducting surveillance on a house when task force officers noticed that DEA Special Agents were conducting surveillance on the same house. When FBI Safe Streets Task Force members met with the DEA to discuss the situation, the FBI Safe Streets Task Force members learned that the DEA had been investigating the targeted gang for a long time for drug trafficking before the FBI Safe Streets Task Force began a murder-for-hire investigation on the same gang. The FBI Special Agent stated that DEA Special Agents were angry that the FBI Safe Streets Task Force wanted to move forward with its investigation. FBI task force managers told us that the U.S. Attorney had to referee between the two components. Both components have continued with their separate investigations, but said that they coordinate and deconflict on a daily basis.

Birmingham, Alabama

In Birmingham, the FBI and USMS each have a task force in operation, and two more task forces were planned – an ATF Violent Crime Impact Team and an FBI Violent Gang Safe Streets Task Force. ATF and the DEA also have local task forces there. The task forces' missions overlap, there are no established procedures for coordination and deconfliction, and the local police department is unable to provide officers to all of the task forces. We found that task force investigations in Birmingham are the least well coordinated of any city we visited.

Task Force Management. The U.S. Attorney's Office sponsors only two meetings a year to set priorities and coordinate investigations that could overlap with Organized Crime Drug Enforcement Task Force (OCDETF) investigations.³¹ With the exception of these biannual OCDETF meetings, the U.S. Attorney's Office does not routinely meet with the components to coordinate targets, priorities, or investigations but does coordinate investigations on an ad hoc basis after a duplication of effort has been identified. For example, the FBI was investigating a gang for bank robbery and murder, and the DEA was investigating the same gang for drug-related crimes. When the FBI task force members realized that the gang was involved with drugs, they called the local DEA Special Agents, and the components discovered they were investigating the same people. The DEA was already working with an Assistant U.S. Attorney, so the FBI called that Assistant U.S. Attorney, who then coordinated the two investigations.

At the time of our visit, ATF and the FBI had proposed anti-gang task forces in the same precincts, but were not coordinating to ensure the task forces do not overlap. An Assistant U.S. Attorney predicted that, with the increasing number of task forces, there would be more duplication and that the U.S. Attorney's Office would have to referee more often.

Additionally, the FBI and the USMS do not work together when establishing agreements with local law enforcement agencies regarding assistance with fugitive investigations. Instead, the FBI Safe Streets Task Force and the USMS Regional Fugitive Task Force have separate cooperative agreements with the police departments in Birmingham and the adjacent suburb of Hoover. These agreements make investigations

³¹ OCDETF is a federal drug enforcement program that focuses resources on the disruption and dismantling of major drug trafficking organizations.

more difficult when a fugitive travels back and forth between Birmingham and Hoover.

Cooperation on Investigations. The DEA is the only component that has a policy requiring its task forces to use the local HIDTA information-sharing system to coordinate investigations. ATF and DEA Special Agents reported that their task forces routinely share information, but a DEA official stated that the DEA’s task force personnel coordinate with the FBI only “when they have to.”

The DEA’s local task force and the FBI Safe Streets Task Force have overlapping missions. The DEA task force has been investigating the gang element in Birmingham’s methamphetamine epidemic. At the same time, the mission of the FBI Safe Streets Task Force – historically a violent crime task force that targeted major theft, carjackers, bank robbers, and fugitives – changed to focus not only on gangs but also on criminal enterprises that are involved with drugs. A DEA official believed that the FBI Safe Streets Task Force may be “a backend for the FBI to investigate drug dealers by calling them violent enterprises.” He added that the task forces in Birmingham were all looking at the same thing but at different stages.

On fugitive investigations, FBI and USMS task force members do not work together to provide assistance to local law enforcement. Because the FBI and the USMS did not cooperate in establishing the fugitive task force agreements described above, when a fugitive flees from Birmingham to Hoover, or vice versa, the fugitive task force responsible for assisting local law enforcement changes. The U.S. Marshal and the Hoover Chief of Police told us that this arrangement made fugitive investigations more difficult. However, the FBI does cooperate with the USMS on specific investigations involving federal Unlawful Flight to Avoid Prosecution warrants. FBI Special Agents stated that to ensure the appropriate allocation of FBI resources, they would not investigate a state fugitive case without first obtaining a federal Unlawful Flight to Avoid Prosecution warrant.

Event Deconfliction. Only the DEA has an event deconfliction policy mandating the use of the HIDTA information-sharing system. One DEA task force officer stated that task force members could accomplish deconfliction nearly as effectively by “yelling over their cubicles.” The other task forces deconflict operations by calling local police departments individually. Because only the DEA uses the HIDTA system, one DEA task force officer explained that to deconflict a reverse buy, he had to make 10 phone calls. The USMS Regional Fugitive Task Force’s

members stated that they deconflicted events by running a warrant check and then calling the other components and local law enforcement agencies to alert them to upcoming operations. There were no reported blue-on-blue incidents in Birmingham.

CONCLUSION AND RECOMMENDATIONS

The Department has increased the use of different types of task forces to help reduce violent crime. At the end of FY 2005, there were 84 cities with more than 1 violent crime task force operated by the Department and its components, up from 20 cities at the beginning of FY 2003.

As the number of cities with multiple task forces has increased, concerns have also risen among Department officials, members of Congress, and local police chiefs that the Department's task force investigations must be well coordinated to avoid duplication of effort. In the Conference Report on the Department's FY 2006 appropriations bill, the Appropriations Committees directed the OIG to assess the coordination of investigations conducted by 210 violent crime task forces.

The Department operates violent crime task forces with overlapping missions in the same city without requiring the components to coordinate task force operations, cooperate during investigations, or deconflict events. In August 2005, the Department issued a policy requiring the components to obtain the Deputy Attorney General's approval to conduct anti-gang programs and activities in new locations. To implement the 2005 policy, in June 2006 the Office of the Deputy Attorney General established a detailed application process for new anti-gang activities requiring support from and a recommendation by the U.S. Attorney for the jurisdiction in which any new anti-gang task force would operate.

However, outside of anti-gang activities, there are still no Department policies requiring the coordination of the operations of other types of violent crime task forces. As a result, we found inconsistent and inadequate cooperation and deconfliction among the Department's violent crime task forces we reviewed. U.S. Attorneys and component task force managers in four of the eight cities we visited do not actively coordinate task force operations. In some cities, task forces fail to use information-sharing systems and, as a result, conduct duplicate investigations. Interviews with Special Agents and Deputy Marshals in six of the eight cities as well as our review of nation-wide arrest data showed that task forces do not often cooperate in joint investigations. While task force members generally deconflict specific events during investigations, we learned of three serious blue-on-blue incidents that

demonstrated the need to improve deconfliction efforts to ensure officer safety.

Our analysis of nation-wide task force arrest data also indicated that the components' coordination of task force investigations was limited. We found 1,288 arrests had been reported by more than one task force from FYs 2003 through 2005. Only 520 of these arrests resulted from joint investigations, while 768 resulted from duplicate investigations by two task forces.

We believe that the Department should establish policies governing the coordination of all task forces and their operations. Specifically, we recommend that the Department:

1. Require that the U.S. Attorney's Office and the components' task force managers in each jurisdiction with multiple violent crime task forces implement guidance for coordinating task force operations.
2. Require each component to use national and local information-sharing and deconfliction systems to coordinate investigations and protect officer safety.
3. Require the components to submit all proposed violent crime or fugitive task forces to an assessment and approval process similar to that used by the Anti-Gang Coordination Committee.
4. Require each component to examine compliance with Department and component policies on task force coordination during periodic internal management reviews.

APPENDIX I: TASK FORCE LOCATIONS AS OF 9/30/05

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
CITIES WITH FOUR TASK FORCES				
Camden, NJ	✓	✓	✓	✓
Los Angeles, CA	✓	✓	✓	✓
Washington, DC	✓	✓	✓	✓
CITIES WITH THREE TASK FORCES				
Atlanta, GA		✓	✓	✓
Baltimore, MD	✓		✓	✓
Chicago, IL		✓	✓	✓
Gainesville, GA		✓	✓	✓
Houston, TX	✓	✓	✓	
Las Vegas, NV	✓	✓	✓	
Long Beach, CA		✓	✓	✓
New Orleans, LA	✓	✓	✓	
Richmond, VA	✓		✓	✓
San Diego, CA		✓	✓	✓
CITIES WITH TWO TASK FORCES				
Allentown, PA		✓	✓	
Alton, IL		✓		✓
Anaheim, CA		✓		✓
Annapolis, MD		✓		✓
Asbury Park, NJ		✓		✓
Atlantic City, NJ			✓	✓
Azusa, CA		✓		✓
Barrow County, GA		✓		✓
Baton Rouge, LA	✓		✓	
Calverton, MD			✓	✓
Chattanooga, TN	✓		✓	
Colton, CA		✓		✓
Compton, CA		✓		✓
Corona, CA		✓		✓

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
Dalton, GA			✓	✓
Elizabeth, NJ		✓		✓
Elkridge, MD			✓	✓
Escondido, CA		✓		✓
Fontana, CA		✓		✓
Garden Grove, CA		✓		✓
Garret Mountain, NJ			✓	✓
Gary, IN			✓	✓
Hampton Roads, VA			✓	✓
Hartford, CT	✓	✓		
Hempstead, NY			✓	✓
Imperial Beach, CA		✓		✓
Indianapolis, IN			✓	✓
Inglewood, CA			✓	✓
Jamaica, NY			✓	✓
Joliet, IL			✓	✓
La Grange, IL		✓		✓
La Porte, IN		✓		✓
Lake Charles, LA		✓	✓	
Laurel, MD		✓		✓
Lawrenceville, GA			✓	✓
Lisle, IL			✓	✓
Miami, FL	✓		✓	
Middletown, NY		✓		✓
Milledgeville, GA		✓		✓
Milwaukee, WI			✓	✓
Mobile, AL		✓	✓	
Moline, IL			✓	✓
Mount Vernon, NY		✓		✓
New York, NY			✓	✓
Newark, NJ			✓	✓
Norfolk, VA			✓	✓
Oceanside, CA		✓		✓
O'Fallon, IL			✓	✓

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
Orange, NJ		✓		✓
Peoria, IL			✓	✓
Perth Amboy, NJ		✓		✓
Petersburg, VA			✓	✓
Philadelphia, PA	✓		✓	
Phoenix, AZ		✓	✓	
Pittsburgh, PA	✓		✓	
Portland, OR		✓	✓	
Prince George's County, MD		✓		✓
Reading, PA		✓	✓	
Riverdale, IL		✓		✓
Riverside, CA			✓	✓
Rome, GA			✓	✓
Santa Ana, CA			✓	✓
Seattle, WA		✓	✓	
Tampa, FL	✓		✓	
Terre Haute, IN		✓		✓
Texas City, TX		✓	✓	
Thomasville, GA			✓	✓
Tulsa, OK	✓		✓	
Waukegan, IL		✓		✓
White Plains, NY			✓	✓
Yonkers, NY		✓		✓
CITIES WITH ONE TASK FORCE				
Abilene, TX			✓	
Adams County, CO		✓		
Aguadilla, PR			✓	
Albuquerque, NM	✓			
Ascension Parish, LA		✓		
Auburn, WA		✓		
Austin, TX			✓	
Avondale, AZ		✓		
Benton Harbor, MI		✓		
Bethlehem, PA		✓		

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
Billings, MT			✓	
Birmingham, AL			✓	
Boise, ID			✓	
Boston, MA			✓	
Boulder County, CO		✓		
Bridgeport, CT			✓	
Bristol Township, PA		✓		
Buffalo, NY			✓	
Canton, OH			✓	
Cataño, PR		✓		
Ceiba, PR			✓	
Charleston, SC			✓	
Charleston, WV			✓	
Charlotte, NC			✓	
Chester, PA			✓	
Chico, CA			✓	
Cleveland, OH			✓	
Clovis, NM		✓		
Cochise County, AZ		✓		
Colorado Springs, CO			✓	
Columbia County, FL		✓		
Columbia, SC			✓	
Columbus, OH	✓			
Corpus Christi, TX			✓	
Covington, KY			✓	
Dallas/Ft. Worth, TX			✓	
Dayton, OH			✓	
Daytona Beach, FL			✓	
Denver, CO			✓	
Detroit, MI		✓		
Dover, DE			✓	
Durham, NC		✓		
East Lansing, MI			✓	
East Palo Alto, CA		✓		

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
El Paso, TX			✓	
Erie, PA			✓	
Farmington, NM		✓		
Ferris, TX		✓		
Fitchburg, MA		✓		
Flint, MI		✓		
Fort Myers, FL		✓		
Framingham, MA		✓		
Franklin County, MO		✓		
Fresno, CA	✓			
Gainesville, TX		✓		
Galveston County, TX		✓		
Gloucester, MA		✓		
Grand Rapids, MI			✓	
Great Falls, MT			✓	
Greensboro, NC	✓			
Greenville, TX		✓		
Guaynabo, PR			✓	
Hallandale Beach, FL		✓		
Harrisburg, PA		✓		
Henderson, NV			✓	
Hobbs, NM		✓		
Hollenbeck, CA		✓		
Huntington, WV			✓	
Jackson, MS			✓	
Jacksonville, FL			✓	
Jefferson County, CO		✓		
Jefferson County, NY		✓		
Jefferson Parish, LA		✓		
Kansas City, KS		✓		
Kansas City, MO			✓	
Key West, FL		✓		
Kingston/Ulster, NY		✓		
Knoxville, TN			✓	

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
Lake County/Clermont, FL		✓		
Lancaster, PA		✓		
Larimer County, CO		✓		
Las Cruces, NM			✓	
Lewiston, ME		✓		
Little Rock, AR			✓	
Marlin, TX		✓		
Martinsburg, WV			✓	
Mayagüez, PR		✓		
McAllen, TX			✓	
Memphis, TN			✓	
Merced, CA		✓		
Midland, TX			✓	
Minneapolis, MN			✓	
Mohave County, AZ		✓		
Monahan/Odessa, TX		✓		
Monroe, LA			✓	
Montgomery County, NY		✓		
Montgomery County, TX		✓		
Mount Pleasant, MI		✓		
Nampa, ID		✓		
Nashville, TN			✓	
Navajo County, AZ		✓		
New Kensington, PA			✓	
Oakland, CA			✓	
Ogden, UT			✓	
Oklahoma City, OK			✓	
Omaha, NE			✓	
Opa-locka, FL		✓		
Orange County, FL		✓		
Orangeburg, SC		✓		
Palm Beach, FL			✓	
Pascagoula, MS			✓	
Peoria, AZ		✓		

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
Pocola, OK		✓		
Ponce, PR			✓	
Providence, RI			✓	
Provincetown, MA		✓		
Pueblo, CO		✓		
Raleigh, NC			✓	
Rehoboth Beach, DE		✓		
Richmond, CA		✓		
Richmond, TX		✓		
Riviera Beach, FL		✓		
Roswell, NM		✓		
Sacramento, CA		✓		
Salt Lake City, UT			✓	
San Antonio, TX			✓	
San Francisco, CA			✓	
San Jose, CA			✓	
San Juan, PR			✓	
Santa Rosa, CA		✓		
Scottsdale, AZ		✓		
Seatac, WA		✓		
Shreveport, LA			✓	
Silver City, NM		✓		
Smith County, TX		✓		
Snohomish County, WA		✓		
Springfield, MA			✓	
Springfield, MO		✓		
St. Joseph, MI			✓	
St. Louis, MO			✓	
St. Thomas, VI			✓	
Stockton, CA			✓	
Steubenville, OH		✓		
Surprise, AZ		✓		
Tacoma, WA			✓	
Toledo, OH			✓	

LOCATION	ATF VCIT	DEA MET*	FBI SSTF	USMS RFTF**
Troy, NY			✓	
Tucson, AZ	✓			
Tyler, TX			✓	
Upper Darby, PA		✓		
Vallejo, CA		✓		
Westfield, CT			✓	
White Center, WA		✓		
Williamsport, PA			✓	
Wilmington, DE		✓		
Windsor, CA			✓	
Windsor, CT			✓	
Yolo County, CA		✓		
Youngstown, OH			✓	

* Mobile Enforcement Teams temporarily deploy to locations for an average of 6 months. This table indicates deployments from FYs 2003 through 2005.

** Regional Fugitive Task Forces cover entire federal judicial districts, not just individual cities. This table identifies cities within those judicial districts that have at least one of the other three task forces.

APPENDIX II: METHODOLOGY TO IDENTIFY DUPLICATE ARRESTS

To analyze task forces' efforts to coordinate investigations involving the same target, we asked each component to provide the name, date of birth, Social Security Number, and FBI Number (identifiers) of every individual who was arrested by one of the task forces during FYs 2003 through 2005. Table 7 shows the search criteria used by the components to generate these lists of individuals.

Table 7: Components' Search Criteria

Component	Database Searched	Data Provided	Number of Arrests Identified
ATF	N-Force	ATF first identified all investigations in N-Force that had been flagged with a Violent Crime Impact Team code. For those investigations, ATF provided identifiers for all defendants who were either (1) arrested before 10/01/2005 or (2) whose investigations were closed before 10/01/2005 without arrest.	1,678*
DEA	Priority Target Activity Resource Reporting System (PTARRS)	The DEA first identified all Mobile Enforcement Team deployments completed during FYs 2003 through 2005. For those investigations, the DEA provided identifiers for all defendants who were either (1) arrested or (2) whose investigations were closed before 10/01/2005 without arrest.	4,024
FBI	Integrated Statistical Reporting and Analysis Application (ISRAA)	The FBI first reviewed its list of case classifications and identified 71 classifications that were most likely to have been investigated by a Safe Streets Task Force.** Within those classifications, the FBI provided identifiers for all defendants who were arrested during FYs 2003 through 2005 in a field division that included one or more Safe Streets Task Forces.	24,265
USMS	Warrant Information Network (WIN)	The USMS first identified all districts that participate in a Regional Fugitive Task Force. The USMS then identified all individuals who were arrested by the USMS during FYs 2003 through 2005 and whose warrants had been issued in one of those districts.	67,261

* The VCIT program began in June 2004. Therefore, ATF provided only 16 months of arrest data, while the other components provided 3 years of arrest data.

** FBI case classifications identify the type of crime being investigated. The case classifications identified for this analysis were part of the Violent Incident Crimes Program, Violent Gangs Program, Major Theft Program, or Fugitive Program.

We entered the identifiers of every individual who was arrested by one of the task forces during FYs 2003 through 2005 into SPSS 14.0 and

used the “Identify Duplicate Cases” feature to identify possible overlaps among the components. The feature allows the user to identify one or more fields that SPSS will compare to determine matches. The content of the fields must be identical for SPSS to declare a match. To ensure that differences in formatting did not lead SPSS to reject matching cases, we reformatted the lists from the components before importing them into SPSS.

We compared the lists to each other in the following pairs: USMS v. FBI, USMS v. DEA, USMS v. ATF, FBI v. DEA, FBI v. ATF, and DEA v. ATF. At least two “Identify Duplicate Cases” analysis runs were performed on each pair. First, each pair was compared using both the Name and Date of Birth fields. For cases to match on this analysis, both components needed to record the same name, using the same spelling, and record the same date of birth. We reviewed the results of each analysis and copied each pair of duplicate cases that contained one record from each component into a separate file for further analysis.³²

The initial analysis could not identify matches involving names with different spellings (Steven v. Stephen), or matches where one component had recorded the defendant’s middle name while the other component had not. We performed a second “Identify Duplicate Cases” analysis run on each pair, comparing a different field, to identify cases that were not captured in the first analysis.

An individual’s FBI Number is a unique identification number assigned to each individual who has a record in the FBI’s Integrated Automated Fingerprint Identification System (IAFIS), a nation-wide database of fingerprint and criminal history records of individuals who have been arrested. Every time an individual is arrested, he or she is fingerprinted, and the prints are submitted to IAFIS for comparison. If the prints match prints already in the system, the new arrest is appended to the existing criminal history record. We determined that a matching FBI Number represents the best possible way to identify a positive match between two records because it is tied to the fingerprint record and is therefore less susceptible to identity fraud than a date of birth or a Social Security Number.

³² Most of the matches identified by SPSS were internal duplicates, where a single component arrested the same individual more than once. Because our review did not focus on the potential for intra-component duplication, we did not include these matches in our analysis.

For the second analysis run, we compared the components using the FBI Number field. The FBI Number comparison was performed on the USMS v. DEA, USMS v. ATF, and DEA v. ATF pairs. We could not perform this analysis on pairings that included the FBI because the FBI Number is not tracked in ISRAA and therefore was not included in the FBI's data response. For the pairings including the FBI, we performed the second analysis run using the Social Security Number field. The Social Security Number comparison was done on the USMS v. FBI and FBI v. ATF pairs.³³

We were concerned that our inability to compare FBI and DEA arrests on any field besides name and date of birth might lead us to underestimate the number of potential duplicates between those two components. At our request, employees of the FBI's Criminal Justice Information Services Division (CJIS) conducted an offline search of the National Crime Information Center's (NCIC) data for the FBI Numbers of the individuals identified in the FBI's data response.³⁴ We sent an exact copy of the FBI's original ISRAA data to CJIS, which returned the data with an FBI Number field added to each record. Once we had received this information, we performed a final analysis on the USMS v. FBI, FBI v. DEA, and FBI v. ATF pairs, using the FBI Number for comparison.

We gave the components spreadsheets indicating which of their arrests were also reported by another component and asked them to provide details on the circumstances surrounding the arrests. We analyzed the components' responses to determine the number of arrests reported by multiple components that were the results of joint investigations. Based on the components' explanations, we developed 12 categories of reasons why arrests could be recorded by multiple components: 6 categories indicating cooperative efforts, 4 categories indicating duplication of effort without cooperation, and 2 neutral categories indicating other reasons for the duplication. We sorted the overlapping cases into these 12 categories and were able to determine the

³³ The DEA's list of arrestees did not include Social Security Numbers because that information was not tracked in the PTARRS database. As a result, only the Name and Date of Birth analysis was performed on the FBI v. DEA pair at this stage.

³⁴ NCIC is a database that provides information on criminal histories and open warrants for police officers and special agents. The FBI Number is one of the identifiers stored in this database. NCIC is commonly used by police officers during traffic stops, allowing them to learn if the driver is wanted or if the vehicle is stolen. It is also used by police officers and Special Agents at various stages of an investigation to determine whether a suspect has a criminal history.

percentage of overlapping investigations that were the result of cooperation and the percentage of overlapping investigations resulting from duplication of effort.

We also asked the components to provide identifiers for individuals under investigation by the task forces during FYs 2003 through 2005 in which no arrest has been made. ATF, the DEA, and the USMS were able to provide this information, but the FBI could not. The FBI provided the identifiers of individuals arrested by FBI Safe Streets Task Forces from its Integrated Reporting and Statistical Software database, but this database does not contain information on investigations in which no arrest has been made. A random check of the identifiers for individuals under investigation provided by the FBI from the FBI Automated Casefile System, which does maintain information on individuals prior to arrest, showed the information provided by the FBI was not sufficient for comparison. Because FBI investigations accounted for 80 percent of the arrests reported by more than one task force we concluded that attempting to identify the suspects under investigation by more than one task force using identifiers from the FBI Automated Casefile System would not have any efficacy.

**APPENDIX III: OFFICE OF THE DEPUTY ATTORNEY GENERAL
RESPONSE**



U. S. Department of Justice

Office of the Deputy Attorney General

Associate Deputy Attorney General

Washington, D.C. 20530

March 23, 2007

MEMORANDUM

TO: Paul A. Price
Assistant Inspector General
Evaluations and Inspections

FROM: Kevin J. O'Connor *KJO*
Associate Deputy Attorney General

SUBJECT: Response to Recommendations in Coordination of Investigations by
Department of Justice Violent Crime Task Forces, Assignment Number A-2005-011

Thank you for the opportunity to respond to the recommendations contained in your draft report entitled Coordination of Investigations by Department of Justice Violent Crime Task Forces. You have requested that, for each recommendation, the Office of the Deputy Attorney General (ODAG) indicate concurrence or non-concurrence, describe actions taken or planned in response to the recommendations, and provide projected completion dates for the actions. In the event of non-concurrence, you have asked that ODAG state specific reasons for non-concurrence and propose alternative actions, if appropriate. Our response to each recommendation is outlined below.

Recommendation 1: Require that the U.S. Attorney's Office and the components' task force managers in each jurisdiction with multiple violent crime task forces implement guidance for coordinating task force operations.

We concur with this recommendation. The United States Attorneys are in a unique position – even without direct authority over other federal law enforcement components – to assess and, if necessary, address any coordination concerns arising from the operation of multiple violent crime task forces in their districts. As your report recognizes, in some districts they are doing this effectively. In response to this recommendation, ODAG has asked the Violent Crime Subcommittee of the Attorney General's Advisory Committee to review a draft ODAG directive to all United States Attorneys that will require that they periodically assess the cooperation and coordination of violent crime task forces operating in their districts. The draft directive also contains a form for reporting back to the Department of Justice on the status of such efforts, the nature of any problems identified, and the guidance or policies adopted or revised to address such problems. ODAG believes that, rather than issuing a directive at this time, the Department would benefit by first allowing the United States Attorney Community to review the OIG's

report and recommendations, as well as the draft of this ODAG directive, so that they can advise ODAG as to their views on the best way to accomplish the objective of establishing their integral role in assessing and addressing the coordination amongst task forces in their districts. We have given the AGAC and its Violent Crime Subcommittee a deadline of May 1, 2007, to provide its recommendations on the best approach to ODAG. ODAG intends to review those recommendations and issue a final directive before the United States Attorney's Conference in San Antonio scheduled for May 14-16, 2007.

Recommendation 2: Require each component to use national and local information-sharing and deconfliction measures to coordinate investigations and protect officer safety.

We concur with this recommendation. On March 23, 2007, the Deputy Attorney General issued the attached Memorandum directing that, where effective and available, all components utilize information sharing and deconfliction measures to coordinate investigations in geographical areas where more than one DOJ-led violent crime task force operates. Additionally, the Deputy Attorney General asked each component to adopt, to the extent it does not have one already, a policy requiring all of its violent crime task forces to utilize information sharing and deconfliction measures. The Memorandum further directs that each component certify, no later than June 1, 2007, that it has policies and procedures in effect that mandate coordination with other violent crime task forces, including, where effective and available, participation in information sharing and deconfliction measures.

Recommendation 3: Require the components to submit all proposed violent crime or fugitive task forces to an assessment and approval process similar to that used by the Anti-Gang Coordination Committee.

We concur with this recommendation. The Task Force Recommendation Subcommittee of the Attorney General's Anti-Gang Coordination Committee developed the procedures by which components request approval of new anti-gang task forces. Since those procedures have been in place, the Department of Justice components have exhibited 100% compliance with the policies on new anti-gang task forces, and all new anti-gang task forces have been subject to review by the Anti-Gang Coordination Committee and approval by the Deputy Attorney General. In light of their expertise in coordinating anti-gang task force policies and procedures, I have asked the Task Force Recommendation Subcommittee to develop recommendations for an assessment and approval process for violent crime and fugitive task forces. As you know, some Department of Justice-led task forces are mandated by Congress, and other task forces are established by local law enforcement and simply have a federal law enforcement presence. As a result, I have also asked that the Task Force Recommendation Subcommittee propose parameters for the task forces that will be subject to an assessment and approval processes. Those

Memorandum to Paul A. Price, Assistant Inspector General
Subject: Coordination of Investigations by Violent Crime Task Forces

Page 3

recommendations will be submitted to the Office of the Deputy Attorney General by September 1, 2007, for review and further action.

Recommendation 4: Require each component to examine compliance with Department and component policies on task force coordination during periodic internal management reviews.

We concur with this recommendation. The Deputy Attorney General's Memorandum of March 23, 2007, also directs DOJ law enforcement components to evaluate compliance with policies concerning task force coordination, information sharing and deconfliction efforts in periodic internal management reviews.

Attachment



U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

March 23, 2007

MEMORANDUM FOR THE ACTING DIRECTOR, EXECUTIVE OFFICE FOR
UNITED STATES ATTORNEYS
THE DIRECTOR, FEDERAL BUREAU OF INVESTIGATION
THE DIRECTOR, UNITED STATES MARSHALS SERVICE
THE ACTING DIRECTOR, BUREAU OF ALCOHOL, TOBACCO,
FIREARMS, AND EXPLOSIVES
THE ADMINISTRATOR, DRUG ENFORCEMENT ADMINISTRATION

FROM: Paul J. McNulty *RM*
Deputy Attorney General

SUBJECT: Coordination and Use of Information-Sharing and Deconfliction
Measures by Department of Justice Violent Crime Task Forces

Recently, the Justice Department's Office of the Inspector General (OIG) undertook a review of the coordination of Department-led violent crime task forces. The resulting report, which will be released shortly and which I strongly encourage you to read, describes problems that may arise in the absence of effective coordination amongst violent crime task forces operating in the same geographic area.

It is the policy of the Department of Justice to coordinate Department-led violent crime task forces operating in the same geographic location. If your component does not already have a nationwide policy mandating such cooperation, I direct you to adopt such a policy. To address specific coordination of our many violent crime task forces, on the local level I will be requesting that each United States Attorney in cities with multiple violent crime task forces assess coordination amongst law enforcement components participating in such task forces. I also will authorize and encourage the United States Attorneys, with your component's input and assistance, to adopt or revise policies or procedures that ensure effective and productive coordination amongst violent crime task forces operating in their districts. I expect your field offices to participate actively and to assist the United States Attorneys in this regard.

The OIG Report also discusses the importance of effective information sharing and deconfliction measures to coordinate investigations and to ensure the safety of law enforcement officers. The Department agrees that effective information sharing and deconfliction measures are crucial to successful coordination amongst its violent crime task forces and to the safety of law enforcement officers. Accordingly, effective immediately, I am directing that all of your

Memorandum for Heads of Selected Department Components
Subject: Coordination and Use of Information-Sharing and Deconfliction
Measures by Department of Justice Violent Crime Task Forces

Page 2

organizations utilize, where available and effective, information sharing and deconfliction measures to coordinate investigations in geographical areas where more than one DOJ-led violent crime task force operates. Each component also should adopt, to the extent it does not already have one, a policy consistent with this directive that requires all of its violent crime task forces to utilize information sharing and deconfliction measures.

If no effective information sharing or deconfliction measures are available to violent crime task forces in certain jurisdictions, your field offices, working with the United States Attorneys' offices, should determine some manner to share information and deconflict the work of violent crime task forces.

To ensure compliance with this directive, each of your components must certify, no later than June 1, 2007, that it has policies and procedures in effect at the national and local level that mandate coordination with other violent crime task forces, including, where effective and available, participation in information sharing and deconfliction measures. Additionally, your organizations are expected to evaluate compliance with such policies in your periodic internal management reviews.

cc: United States Attorneys

**APPENDIX IV: OIG ANALYSIS OF THE OFFICE OF THE
DEPUTY ATTORNEY GENERAL RESPONSE**

In a memorandum dated March 23, 2007, the Office of the Deputy Attorney General responded to the report's four recommendations on behalf of the Department of Justice (Department). As a result of that response, Recommendations 2 and 3 are resolved and remain open. Based on actions taken and reported by the Office of the Deputy Attorney General, Recommendations 1 and 4 are closed.

Recommendation 1. Require that the U.S. Attorney's Office and the components' task force managers in each jurisdiction with multiple violent crime task forces implement guidance for coordinating task force operations.

Status. Resolved – closed.

Summary of the Office of the Deputy Attorney General

Response. The Office of the Deputy Attorney General concurred with this recommendation and stated that it has asked the Violent Crime Subcommittee of the Attorney General's Advisory Committee to review a draft Office of the Deputy Attorney General directive to all U.S. Attorneys that will require that they periodically assess the cooperation and coordination of violent crime task forces working in their districts. The draft directive would also require U.S. Attorneys to report to the Department on violent crime task force coordination efforts, the nature of any coordination problems identified, and the guidance or policies adopted or revised to address those problems.

OIG Analysis. The Office of the Deputy Attorney General agreed that the U.S. Attorney in each district can assess and, if necessary, correct problems arising from the operation of more than one Department-led violent crime task force in the same district. Subsequent to the March 23, 2007, response from the Office of the Deputy Attorney General, the committee completed its review of the draft directive, and the directive was issued on May 11, 2007. The actions taken by the Office of the Deputy Attorney General are responsive to our recommendation. Recommendation 1 is closed.

Recommendation 2. Require each component to use national and local information-sharing and deconfliction systems to coordinate investigations and protect officer safety.

Status. Resolved – open.

Summary of the Office of the Deputy Attorney General

Response. The Office of the Deputy Attorney General concurred with this recommendation and provided a memorandum from the Deputy Attorney General, dated March 23, 2007, directing the components to adopt a policy requiring the use of information-sharing and deconfliction measures to coordinate investigations in geographical areas where more than one Department-led violent crime task force operates. The Deputy Attorney General required each component to certify by June 1, 2007, that it has policies and procedures in effect that mandate coordination with other violent crime task forces, including the use of information-sharing and deconfliction measures.

OIG Analysis. The new Department policy issued by the Deputy Attorney General requires that each component certify by June 1, 2007, that it has policies and procedures in effect that mandate coordination with other Department-led violent crime task forces, including the use of national and local information-sharing and deconfliction measures. The actions taken and planned by the Office of the Deputy Attorney General are responsive to our recommendation. So that we may close this recommendation, please provide the OIG with a copy of each component's certification by June 15, 2007.

Recommendation 3. Require the components to submit all proposed violent crime or fugitive task forces to an assessment and approval process similar to that used by the Anti-Gang Coordination Committee.

Status. Resolved – open.

Summary of the Office of the Deputy Attorney General

Response. The Office of the Deputy Attorney General concurred with this recommendation and directed the Attorney General's Anti-Gang Coordination Committee to develop recommendations for an assessment and approval process for violent crime and fugitive task forces by September 1, 2007. The response of the Office of the Deputy Attorney General noted that some Department task forces are mandated by Congress and that some task forces established by local law enforcement

include federal law enforcement officers. Such congressionally mandated or local task forces are not fully within the purview of a Departmental approval process. Accordingly, the Office of the Deputy Attorney General directed the Committee to “propose parameters” to establish which task forces should be subject to the Department’s assessment and approval process.

OIG Analysis. The actions planned and taken by the Office of the Deputy Attorney General are responsive to our recommendation. The OIG agrees that the assessment process created in response to this recommendation must recognize that Congress mandates some Department-led task forces and that the Department’s Special Agents and Deputy Marshals sometimes participate on local law enforcement task forces. So that we may assess the Department’s progress in implementing this recommendation, please provide the OIG with documentation of the assessment and approval process for violent crime and fugitive task forces by October 1, 2007.

Recommendation 4. Require each component to examine compliance with Department and component policies on task force coordination during periodic internal management reviews.

Status. Resolved – closed.

Summary of the Office of the Deputy Attorney General Response. The Office of the Deputy Attorney General concurred with this recommendation. The March 23, 2007, Office of the Deputy Attorney General memorandum responding to a draft of this report directed the components to expand their periodic internal management reviews to include evaluating compliance with policies concerning task force coordination, information sharing, and deconfliction.

OIG Analysis. The actions taken by the Office of the Deputy Attorney General are responsive to our recommendation. Recommendation 4 is closed.

APPENDIX V: ATF RESPONSE



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Office of the Director

MAR 12 2007

Washington, DC 20226

MEMORANDUM TO: Assistant Inspector General for Evaluation and Inspections

FROM: Acting Director

SUBJECT: Response to the Office of Inspector General's
Draft Report on the Coordination of Investigations
by Department of Justice Violent Crime Task Forces
Assignment Number A-2005-011

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) appreciates the opportunity to comment on the Office of Inspector General's (OIG) draft report entitled "Coordination of Investigations by Department of Justice Violent Crime Task Forces." ATF welcomes any opportunity to improve its efforts to reduce violent crime and make our neighborhoods safer. ATF is proud of its contributions through Project Safe Neighborhoods and the Violent Crime Impact Teams in support of the Department of Justice objective to reduce violent crime and will continue its efforts in support of the successful coordination of the Department's task force activities.

ATF has reviewed the OIG's draft report and fully supports the effort to ensure that Department task forces maintain a high degree of coordination and collaboration. We agree strongly that coordination among Department components is critical to officer safety and to the efficient use of limited resources, and we will work with the Department and all of its other law enforcement components to continue to coordinate task force activities and implement any necessary improvements.

Should you have any questions regarding this response, please contact Richard E. Chase, Assistant Director, Office of Professional Responsibility and Security Operations, at (202) 927-7800.

Michael J. Sullivan

APPENDIX VI: OIG ANALYSIS OF THE ATF RESPONSE

In a memorandum dated March 12, 2007, ATF responded to the OIG request for formal comments on the draft report. In addition, as noted above, in a memorandum dated March 23, 2007, the Office of the Deputy Attorney General concurred with the report's four recommendations on behalf of the Department.

Summary of the ATF Response. ATF expressed support for the OIG efforts to ensure that Department violent crime task forces coordinate their law enforcement efforts. ATF strongly agreed that collaboration and coordination among the Department's law enforcement components are critical to officer safety and to the efficient use of limited resources. ATF also agreed to work with the Department and other law enforcement components to implement improvements to the coordination process and to coordinate individual task force investigations.

OIG Analysis. ATF's willingness to work with the Department and to coordinate with the other law enforcement components is consistent with the findings and recommendations in our report.

APPENDIX VII: DEA RESPONSE



U. S. Department of Justice
Drug Enforcement Administration

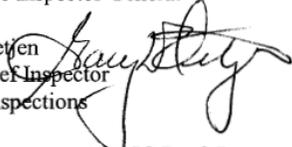
www.dea.gov

Washington, D.C. 20537

MAR 28 2007

MEMORANDUM

TO: Paul Price
Assistant Inspector General
Evaluation and Inspections Division
Office of the Inspector General

FROM: Gary W. Oetjen 
Deputy Chief Inspector
Office of Inspections

SUBJECT: DEA's Response to the OIG Draft Report: *Coordination of Investigations by Department of Justice Violent Crime Task Forces*

The Drug Enforcement Administration (DEA) has reviewed the Department of Justice (DOJ) Office of the Inspector General's (OIG) Draft Report titled, *Coordination of Investigations by Department of Justice Violent Crime Task Forces*. Although the recommendations in this report are directed to DOJ, DEA provides the following formal responses to address three areas of the report that DEA believes were inaccurately represented.

Task Force Management, pages 30, 31, and 32.

DEA Response: The initial draft report score given to DEA for Task Force Management was 27 out of a possible 72 points, the lowest among the four agencies evaluated. After OIG received DEA's response to the initial draft report, the score was adjusted to 35, raising DEA's score to third out of the four agencies evaluated. DEA appreciates OIG's revision of DEA's initial score in this category, but believes that not all nine criteria utilized to formulate an index score fairly reflects the mission of DEA's Mobile Enforcement Teams (MET).

OIG utilized the following criteria:

- Do violent crime task force missions overlap?
- Do fugitive task force missions overlap?
- Do the components routinely invite local agencies to participate on task forces?
- Do the components routinely invite other federal agencies to participate on task forces?
- Do the components routinely participate on other federal agencies' task force?

- Do the components coordinate task force locations with local or other federal agencies?
- Do the components routinely attend coordination meetings?
- Do the components use training as an incentive to encourage task force participation by local law enforcement agencies?
- Do the components provide other incentives to encourage task force participation by local law enforcement agencies, for example, cars, overtime, and phones?

OIG based the maximum score for each component on the number of criteria addressed by the respective task forces and the number of cities reviewed. For each task force management score, there were nine criteria for each component in each of the eight cities. The maximum score for each criterion was eight points. OIG's calculations were based on adding up the scores of each criterion for an overall score.

OIG's methodology assumes MET's mission encompasses all of the above-mentioned criteria. The MET is not a violent crime task force. MET does not target groups specifically for violence committed by members; however, violence within a drug trafficking organization is a required element for a MET deployment. Also, MET is not a fugitive task force. DEA's policy is to delegate apprehension responsibility to the United States Marshals Service (USMS) if a DEA fugitive is not arrested within 48 hours of the issuance of an arrest warrant. When the option exists, MET will invite other federal agencies to participate in its investigations, but MET normally deploys to areas void of other federal law enforcement presence. As noted in the OIG report, MET conducted approximately 125 operations during the audit period and approximately 92 percent of the deployments were in areas with either no federal law enforcement presence or with only one other federal task force. Since MET usually deploys to areas with little or no other federal law enforcement presence, MET does not have the option to routinely participate on other federal task forces. Formal training for local law enforcement agencies is generally not available since the mission of MET deployments are to make an immediate impact in specific locations. However, this does not preclude MET members from conducting on-the-job training for the requesting agency, which is commonplace.

DEA did not have access to the calculations utilized by OIG to determine DEA's Task Force Management score, but maintains MET's score is low since OIG utilized a formula based on the sum of the collective criterion and did not adjust the formula when criteria was not applicable to MET.

Initial Scope of the Audit, pages 10, 59, 60, and 64 thru 66.

DEA Response: The scope of the OIG audit in the initial draft report stated:

"We reviewed the Department's and the components' policies on task force coordination, compliance with these policies, and local task force efforts to coordinate investigations. We also analyzed nationwide arrests reported in FYs 2003-2005 by the ATF Violent Crime Impact Teams, the DEA Mobile Enforcement Teams, the FBI Safe Street Task Forces, and the USMS Regional Fugitive Task Forces and assessed task force operations in eight cities".

This same scope was reaffirmed during the exit conference held by OIG on January 24, 2007, when the attendees from all reviewed components were informed that the review was limited to assessing DEA MET, ATF Violent Crime Impact Team, FBI Safe Street Task Force, and USMS Regional Fugitive Task Force. After reviewing the initial draft report, DEA identified two instances where OIG assessed non-MET state and local task forces in two cities: Las Vegas, Nevada; and Birmingham, Alabama. Since the scope of the audit focused on MET deployments and not DEA state and local task forces, DEA requested that the mention of the two state and local task forces be omitted from the report. Instead of omitting the references to the state and local task forces, OIG expanded the scope in their subsequent draft report to read:

“We reviewed the Department’s and the components’ policies on task force coordination, compliance with these policies, and local task force and field office efforts to coordinate investigations through 2006. We also analyzed nationwide arrests reported in FYs 2003-2005 by the ATF Violent Crime Impact Teams, the DEA Mobile Enforcement Teams, the FBI Safe Street Task Forces, and the USMS Regional Fugitive Task Forces and assessed local task force operations in eight cities through the time of our site visits to each city. This report also includes some of the information provided by the components in response to our request for comments on the draft report”.

DEA is troubled with OIG’s revision of the scope of the audit, after issuance of the initial draft report. In its present state, the report does not fairly represent DEA’s state and local task forces in the eight cities visited by OIG. After expanding the scope, OIG failed to report additional information on the management, coordination, cooperation, or deconfliction of not only the state and local task forces in Las Vegas and Birmingham, but any other state and local task force in the remaining six cities visited by OIG. DEA maintains the original scope of the audit should have been adhered to and the report should have omitted the mention of the state and local task forces in Las Vegas and Birmingham to remain within its scope and to provide a more objective report.

DEA’s coordination of a MET deployment to Reading, Pennsylvania, pages viii, 50, and 51.

DEA’s Response: OIG states in its initial draft report, executive digest section, that “DEA is the only component that has instituted nation-wide policies on coordinating new task force operations.” The report went on to state, “Task force managers generally complied with the policy, with one exception. In FY 2005, the DEA failed to coordinate the operations of a Mobile Enforcement Team in one city with the other components, which created tensions among the law enforcement components there and delayed the DEA Mobile Enforcement Team’s operations.” The body of the original draft report discussed this incident in greater detail and stated that the DEA Special Agent in Charge (SAC) of the Philadelphia office violated DEA policy when DEA did not notify all federal agencies of a planned deployment and did not complete an assessment of other task forces within the deployment area. OIG reported that they interviewed an Assistant U.S. Attorney (AUSA) who explained that ATF and FBI were already coordinating task force operations in the area and were concerned that their confidential informants would be arrested by MET. The AUSA stated MET just showed up and the U.S. Attorney’s Office was not sure why the DEA deployed MET in the area. OIG stated that resolution of DEA’s failure to coordinate the deployment required a series of meetings that delayed task force operations.

After reviewing the initial draft report, DEA provided OIG with documentation that exposed the above-mentioned AUSA statements as inaccurate and misleading. This documentation revealed that DEA task force managers followed policy prior to deploying MET in Reading, Pennsylvania. The documentation included the MET deployment request, the date of the pre-deployment meeting, and the date of the MET deployment. The pre-deployment meeting included representatives from DEA, ATF, the U.S. Attorney's Office, the Berks County District Attorney's Office, Reading Police Department, and the Pennsylvania State Police. In addition, prior to the MET deployment, the Philadelphia DEA SAC telephonically contacted the District Attorney (DA) from Berks County to coordinate the proposed deployment in Reading, PA. Shortly after the DEA SAC discussed the deployment with the Berks County DA, the DEA SAC received a telephone call from the U.S. Attorney, Eastern District of Pennsylvania. The U.S. Attorney advised that the Berks County DA wanted to know why MET was deploying to Reading, stating the FBI Safe Streets Task Force had the situation under control and needed no additional assistance. The DEA SAC made several attempts to contact the Berks County DA to further discuss this matter, however none of his telephone calls were returned. Prior to the deployment, the DEA SAC conducted a coordination meeting with the U.S. Attorney, Eastern District of PA, and the AUSA that served as the FBI Safe Streets Coordinator. Subsequent to supplying OIG with this information, DEA requested that the above-mentioned MET deployment be removed from OIG's report. OIG denied this request, but agreed to alter language in the report.

This same draft report was reviewed by the U.S. Attorney's Office, who issued e-mail correspondence to OIG. The comments were prepared by the Executive Office of the U.S. Attorney's Office and the U.S. Attorney's Office, Eastern District of Pennsylvania, which reported that "...comments in the report also overstate the issues." The Executive Office of the U.S. Attorney's Office recommended to the OIG that "the report discussing the deployment of a DEA MET team "outside Philadelphia" should be removed from the report altogether. As our earlier comments indicated, on that occasion (deployment of MET team to Reading, PA) there was discussion, deconfliction, and cooperation prior to deployment, so it is simply not, as the topic sentence in the paragraph states, an example of a failure to coordinate task force locations. It is an example of cooperation." Also, the Deputy Chief of the Criminal Division in the U.S. Attorney's Office, Eastern District of Pennsylvania, wrote, "There is a criticism of DEA's handling of their placement of their MET Team deployment in Reading. First, it is probably not at all relevant to what is going on in Philadelphia, where agencies effectively coordinate the location of their task forces with each other. Nevertheless, the comments in the report also overstated the issues. DEA did meet with the USAO, ATF, and the FBI to work out the logistics and deconfliction for the MET Team before the MET Team deployment commenced in Reading. Ultimately, deconfliction worked well because all targets were discussed with the FBI agent running the FBI Task Force in Reading."

OIG issued a revised draft report. The body of the report contained additional language to include:

- The Assistant U.S. Attorney said the biggest problem with the Reading operation was that the DEA Mobile Enforcement Team just showed up and the U.S. Attorney's Office and the FBI were not sure why the DEA was deploying a DEA Mobile Enforcement Team in that area. Resolution of DEA's failure to coordinate the deployment required a series of meetings that delayed task force operations.

- Based on documents provided by the DEA, the Reading Chief of Police requested a Mobile Enforcement Team deployment on March 1, 2005, and a meeting to discuss the deployment was held on March 16, 2005. Representatives of the U.S. Attorney's Office, the DEA, the Pennsylvania State Police, the Berks County Pennsylvania District Attorney's Office, the Reading Police Department and the ATF attended. Representatives of the FBI did not attend the March 16, 2005 meeting. Documents provided by the DEA also showed that DEA opened the case file to support the DEA Mobile Enforcement Team deployment to Reading on March 17, 2005. The DEA Philadelphia Field Division completed the pre-deployment assessment on April 5, 2005, DEA task force managers approved funding for the deployment on April 6, 2005, and the DEA Mobile Enforcement Team began operations in Reading on April 18, 2005.
- An FBI manager stated that the FBI was not notified of the DEA's actions in Reading and that there was no cooperation between the FBI and the DEA during the deployment of the DEA Mobile Enforcement Team to Reading. The supervisor of the FBI Safe Streets Task Force during the DEA Mobile Enforcement Team deployment stated that the FBI was not invited to the March 16, 2005 pre-deployment coordination meeting. The supervisor also stated that there was no cooperation between the DEA Mobile Enforcement Team and the FBI Safe Streets Task Force prior to, during, or after the deployment and that individual DEA and FBI task force investigations were deconflicted by the Berks County District's Attorney's Office during the deployment.
- Although we found that the DEA failed to notify FBI Safe Streets Task Force managers of the deployment, the Assistant U.S. Attorney, an ATF Supervisory Special Agent, and a Reading Police Department Sergeant stated that there was cooperation and deconfliction between DEA, ATF, and state and local law enforcement before and during the DEA Mobile Enforcement Team operations in Reading.

After reviewing the revised draft report, DEA advised OIG that the DEA Philadelphia Special Agent in Charge (SAC) met with the Philadelphia FBI and ATF SACs to coordinate the MET deployment prior to the pre-deployment meeting. DEA subsequently learned that OIG had been in possession of information that the DEA SAC had deconflicted with all relevant federal agencies prior to the MET deployment, but neglected to include this information in the report. This information was provided to OIG during the initial interview of the Philadelphia DEA SAC. OIG then requested that DEA provide the name of the FBI supervisor with whom deconfliction and coordination occurred. DEA provided the name of the FBI SAC and the time frame during which the meeting took place in the office of the Philadelphia DEA SAC. Also in attendance during the same meeting was the Philadelphia ATF SAC. DEA also supplied OIG with information that a FBI representative did attend the pre-deployment meeting. The FBI representative was a full-time Task Force Office (TFO) assigned to the FBI Safe Streets Task Force. The TFO participated in the meeting to include deconflicting investigations and confidential informants. After the pre-deployment meeting, the TFO returned to the Safe Streets Task Force and shared information obtained from the pre-deployment meeting with members of the Task Force. DEA again requested that any mention of the Reading MET deployment be deleted from the report due to overwhelming documentation provided to OIG supporting DEA's deconfliction and coordination of the Reading MET deployment.

OIG amended portions the Reading section of the report once again. The body of the report contained revised language to include:

- The request for a deployment in Reading and DEA's response gave rise to ATF's and FBI's concerns that the decision to deploy a DEA Mobile Enforcement Team in Reading had not been coordinated. In response to these concerns, the Philadelphia DEA Special Agent in Charge met with the Philadelphia FBI and ATF Special Agents in Charge, to better coordinate the requested deployment.
- Although the task forces' operations were deconflicted without incident, the lack of coordination created tensions among the task forces operating in Reading and resulted in a series of meetings that delayed task force operations.
- The DEA Assistant Special Agent in Charge understood that the Reading Police Sergeant was representing the interest of the FBI Safe Streets Task Force. However, the Reading Police Department Sergeant, who the DEA believed was representing the FBI at the March 16th meeting, stated to the OIG that he did not represent the FBI at the meeting and that he stated this to the DEA Special Agents at the meeting.
- An FBI Assistant Special Agent in Charge in Philadelphia stated that as result of the lack of pre-deployment coordination in Reading there was no cooperation between the FBI and the DEA before or during the deployment of the DEA Mobile Enforcement Team to Reading. The FBI Special Agent who supervised the FBI Safe Streets Task Force during the DEA Mobile Enforcement Team deployment stated that the FBI was not invited to the March 16, 2005, pre-deployment coordination meeting. The supervisor also stated that there was no cooperation between the DEA Mobile Enforcement Team and the FBI Safe Streets Task Force prior to, during, or after the deployment.
- Despite ATF's and the FBI's concerns regarding a DEA Mobile Enforcement Team deployment in Reading DEA documents showed that the DEA opened the case file to support the DEA Mobile Enforcement Team deployment to Reading on March 17, 2005.
- We found that the coordination for the DEA Mobile Enforcement Team deployment in Reading was not effective in ensuring cooperation among the violent crime task forces in the same geographic area. An Assistant U.S. Attorney stated that the U.S. Attorney's Office had to mediate several meetings involving the DEA, the FBI, and ATF to determine how federal targets of the Reading DEA Mobile Enforcement Team deployment would be deconflicted, and individual DEA and FBI task force operations were deconflicted by the Berks County District's Attorney's Office.
- Despite the lack of cooperation, an Assistant U.S. Attorney and an ATF Supervisory Special Agent stated that the DEA, ATF, FBI, and state and local law enforcement operations were deconflicted during the DEA Mobile Enforcement Team deployment in Reading.

After reviewing the modified section of the report, DEA identified misleading and contradictory statements. As noted in the first above-mentioned bullet, the OIG report states the ATF and FBI were concerned with the MET deployment and lack of coordination. The report then states the DEA Philadelphia SAC met with the Philadelphia FBI and ATF SACs to coordinate the deployment. OIG did not provide any documentation or cite any members of ATF who stated they were concerned with the alleged lack of coordination. In fact, ATF was at the pre-deployment meeting and coordinated operations throughout the deployment. The report then contradicts itself when it states the SACs met to coordinate the deployment, but then fails to mention this coordination meeting occurred prior to the pre-deployment meeting or any actual MET deployment. According to the Philadelphia ATF SAC, there were never any problems or issues with the DEA MET deployment in Reading and all matters were properly coordinated and deconflicted.

Two of the above-mentioned bullets stated the lack of coordination/cooperation created problems among the task forces operating in Reading and resulted in a series of meetings that delayed task force operations. This is another misleading statement in that problems were not created with several task forces operating in the area. The only task force that cited problems was the FBI Safe Streets Task Force, whose supervisor opposed the MET deployment. OIG also failed to mention that DEA MET delayed its deployment at the request of the Philadelphia State Police, who was concluding a long term investigation. DEA MET clearly coordinated its operations with federal, state, and local counterparts. In addition, the DEA MET participated in weekly deconfliction meetings hosted by the Berks County DA's Office, which is the prosecuting arm of the FBI Safe Streets Task Force. During these meetings, investigative actions and targets were discussed. Agencies that participated in these meetings included DEA MET, the Reading Police Department Vice squad, and Berks County DA's Office Detectives. The FBI office responsible for Reading is based out of Allentown, Pennsylvania, which supplied one agent to the FBI Safe Streets Task Force. No FBI personnel (to include the supervisor and/or agent) attended any of the deconfliction meetings hosted by the Berks County DA's Office. These meetings were held at the direction of the Berks County DA to specifically deconflict and coordinate ongoing investigations by the DEA MET and the FBI Safe Streets Task Force. OIG did not provide any documentation to support the comments that the MET Reading deployment resulted in a series of meetings that delayed task force operations.

The revised report refers to a FBI Assistant Special Agent in Charge (ASAC) in Philadelphia and a FBI Special Agent who supervised the FBI Safe Streets Task Force during the DEA MET deployment. It is the position of DEA that any perceived tension resulted from the FBI and the Berks County DA not wanting the DEA MET to operate independently in the area of Reading, Pennsylvania. Based on discussions with Philadelphia DEA senior management, the Berks County DA wanted full control over DEA MET and wanted MET to merge into the operations being conducted by the FBI Safe Streets Task Force. This suggestion was not considered because of the difference in the focus and mission of the DEA MET and the FBI Safe Streets Task Force. The focus of MET is to conduct short term enforcement operations into violent drug trafficking organizations. The report states the FBI ASAC and the FBI supervisor complained that there was no cooperation between the FBI and the DEA before or during the MET deployment. The FBI supervisor also complained the FBI was not invited to the March 16, 2005 pre-deployment coordination meeting. Prior to the pre-deployment meeting, the Philadelphia FBI SAC was advised of the MET deployment by the Philadelphia DEA SAC. DEA cannot account for why this communication was not relayed to the FBI supervisor of the Reading Safe Streets Task Force. The report again

contradicts itself when it states an Assistant U.S. Attorney and an ATF Supervisory Special Agent stated that the DEA, ATF, FBI, and state and local law enforcement operations were deconflicted during the DEA Mobile Enforcement Team deployment in Reading.

DEA again requested that any mention to the Reading MET deployment be removed from the OIG report. DEA has provided clear and convincing information and documentation that DEA task force managers complied with policy prior to deploying MET in Reading. OIG has consistently altered the Reading MET deployment section to fit their version of events. This section of the report has expanded from one paragraph in the body of the report to six paragraphs. The initial paragraph, as noted above, stated the DEA Philadelphia SAC violated DEA policy when DEA did not notify all federal agencies of a planned deployment and did not complete an assessment of other task forces within the deployment area. The OIG report now states the DEA Philadelphia SAC met with the Philadelphia FBI and ATF Special Agents in Charge, to better coordinate the requested deployment. As OIG has expanded the Reading MET section, it has inserted contradictions to its own report. DEA is troubled that OIG has decided to put more weight into a statement made by a FBI Task Force supervisor over the statements of DEA and ATF Special Agents in Charge, the Executive Office of the U.S. Attorney's Office, and the U.S. Attorney's Office, Eastern District of Pennsylvania. It should be noted, that this MET deployment originated as a result of a Reading Police officer being killed in the line of duty. The Philadelphia DEA SAC offered funding, resources, and manpower to the Reading PD in an attempt to further combat their violent drug trafficking problem. The FBI Safe Streets Task Force represented to DEA that the assistance of the DEA MET was not wanted or needed and that the FBI Safe Streets Task Force had the situation fully under control. This is evidenced by the comments made to OIG by the AUSA that was the FBI Safe Streets Coordinator. It is the position of DEA that this is not an example of DEA's failure to deconflict, but rather the FBI Safe Street Task Force's failure to embrace DEA's MET resources as an ally as opposed to an adversary. In addition to DEA's request to remove this section, the Executive Office of the U.S. Attorneys Office also requested its removal since DEA did deconflict, coordinate, and cooperate prior to the MET deployment.

cc: Michele M. Leonhart
Deputy Administrator

Richard Theis
Director
Audit Liaison Group

Kevin O'Connor
Associate Deputy Attorney General
Office of the Deputy Attorney General

APPENDIX VIII: OIG ANALYSIS OF THE DEA RESPONSE

In a memorandum dated March 28, 2007, the DEA responded to the OIG request for formal comments on the draft report. In addition, as noted above, in a memorandum dated March 23, 2007, the Office of the Deputy Attorney General concurred with the report's four recommendations on behalf of the Department.

In its comments, the DEA expressed three main concerns with the draft report. First, it contended that the criteria used by the OIG to evaluate task force management coordination should not have been applied to DEA Mobile Enforcement Teams. Second, the DEA asserted that the OIG changed the scope of the review after the components had commented on the OIG's working draft of this report. The DEA stated that the OIG expanded the scope to include information on DEA state and local task forces when discussing locations where there were no Mobile Enforcement Team deployments. Third, the DEA disagreed that the deployment of a Mobile Enforcement Team in Reading, Pennsylvania, was not effectively coordinated. We discuss these three concerns below.

Task Force Management

Summary of the DEA Response. The DEA stated that, because not all of the criteria the OIG used to assess task force management coordination were applicable to the mission of the DEA Mobile Enforcement Teams, the assessment did not accurately reflect the coordination of those teams' operations. For example, the DEA stated that a Mobile Enforcement Team "is not a violent crime task force." The DEA also stated that the Mobile Enforcement Teams do not have the option to routinely participate on other components' task forces because "approximately 92 percent of the deployments were in areas with either no federal law enforcement presence or with only one other federal task force." Further, the DEA stated that the teams usually cannot provide formal training because of the nature of their mission and operations.

OIG Analysis. The OIG disagrees with the DEA contention that the criteria we used to assess task force management coordination did not fairly reflect the mission of Mobile Enforcement Teams. First, the DEA's comments are contradicted by prior information the DEA provided regarding the teams' mission. In response to our November 3, 2005, request that the DEA describe the roles and missions of Mobile Enforcement Teams, the DEA stated, "The DEA created the Mobile

Enforcement Team Program as an ambitious and far-reaching effort aimed at attacking violent drug-related crime, while reaffirming [the DEA] commitment to community-based policing.” Specifically, the DEA provided the following statement of the roles and missions of Mobile Enforcement Teams:

Working in support of federal, state, local, and tribal law enforcement, [Mobile Enforcement Teams] will pursue the following objectives:

- Identify the highest level of drug traffickers and organizations in a particular community who engage in homicide and other violent crime.
- Focus resources to ultimately disrupt or dismantle those targeted drug organizations.
- Collect, analyze, and share intelligence with state and local counterparts.
- Develop investigations against violent drug offenders, gangs and drug trafficking organizations . . .
- Remove violent drug offenders and gang members from the community by assisting local law enforcement agencies in their arrest.
- Seize the assets of violent drug offenders, gangs and drug trafficking organizations.
- Provide appropriate support to local and federal prosecutors.

Our observations of the DEA’s field operations in eight cities were also consistent with the DEA’s prior descriptions of the mission and operation of the Mobile Enforcement Teams as violent crime task forces and illustrated that the criteria listed above are applicable. The specific results of our observations of the DEA’s Mobile Enforcement Teams under each criterion follow:

- Criterion 1: Do violent crime task force missions overlap?

Result: DEA Mobile Enforcement Team operations overlapped with other violent crime task forces in four cities and did not overlap in four cities.

- Criterion 2: Do fugitive task force missions overlap?

Result: The DEA fugitive mission did not overlap with other fugitive task forces in any of the eight cities because the DEA delegates fugitive apprehension responsibility to the USMS if a DEA fugitive is not arrested within 48 hours of the issuance of an arrest warrant.

- Criterion 3: Do the components routinely invite local agencies to participate on task forces?

Result: The DEA invited local law enforcement agencies to participate in all eight cities.

- Criterion 4: Do the components routinely invite other federal agencies to participate on task forces?

Result: The DEA invited other federal law enforcement agencies to participate in three cities. DEA and FBI Special Agents who participated in one of these deployments cited remarkable success in their joint effort.

- Criterion 5: Do the components routinely participate on other federal agencies' task forces?

Result: The DEA participated on another violent crime task force in one city.

- Criterion 6: Do the components coordinate task force locations with local or other federal agencies?

Result: The DEA coordinated the location of its task force activities in three of the eight cities.

- Criterion 7: Do the components routinely attend coordination meetings?

Result: The DEA routinely sent representatives to coordination meetings in seven cities.

- Criterion 8: Do the components use training as an incentive to encourage task force participation by local law enforcement agencies?

Result: The DEA used training as a participation incentive in only one city, even though DEA guidelines direct Mobile Enforcement Team to provide training to state and local agencies.

- Criterion 9: Do the components provide other incentives (such as use of cars or funding for overtime) to encourage task force participation by local law enforcement agencies?

Result: The DEA did not provide such incentives in any of the eight cities.

As demonstrated above, eight of the nine criteria were met in some or all of the eight cities we visited. With regard to the ninth criterion, although the DEA did not use incentives in any of the eight cities we reviewed, the criterion is applicable because the DEA is not prohibited from using incentives and does so for other task forces. Consequently, we considered it appropriate to apply all nine task force management criteria to Mobile Enforcement Team operations in each of the eight cities and to include these findings in the report.

Finally, we considered the DEA's statement that, because "approximately 92 percent of the deployments were in areas with either no federal law enforcement presence or with only one other federal task force," the Mobile Enforcement Teams do not have the option to routinely participate on other components' task forces. We identified how many of the 125 DEA Mobile Enforcement Team deployments occurred in locations in which another of the four types of task forces under review was operating. In almost 40 percent (49 of 125) of those deployments, there was another task force in operation. We did not examine in how many cases there was another type of "federal law enforcement presence" (such as a USMS District Fugitive Task Force or a state violent crime task force with federal participation). Consequently, we believe that the DEA has considerably more opportunities to invite other components to participate on Mobile Enforcement Team deployments, as well as to join with other component task forces, than the DEA response indicates. Moreover, in our review, which focused on cities in which those opportunities were present, we found that the DEA participated with other component task forces in only one of the eight cities.

Scope of the Review

Summary of the DEA Response. The DEA stated that the OIG revised and expanded the scope of the review after receiving the DEA's response to the working draft. In that response, the DEA requested that references to state and local DEA task forces in Las Vegas and Birmingham be deleted because such task forces were not within the scope of the OIG review. Further, the DEA asserted that, because the report did not address the operations of its state and local task forces in all eight cities, references to its Las Vegas and Birmingham task forces should be omitted.

OIG Analysis. Contrary to the DEA's claims, the scope of the review remained constant throughout the review. In cities that did not have all four types of task forces that Congress directed us to review, we interviewed personnel in the field offices for each component about all task force operations in their geographic area. We also asked about coordination of their operations with investigations conducted by any of the four types of task forces under review that operated in the area. During our entrance conference for this review, we explained to the DEA's and other components' representatives that the review would involve an assessment of the coordination of multiple components, not the operations of a single task force or team. We also advised the components that we would be requesting data on general agency operations in those cities that lacked one or more of the four types of task forces.

We collected information on DEA Mobile Enforcement Team operations in the six cities we visited where they had deployed. In the remaining two cities we visited where no Mobile Enforcement Team had deployed, we collected information on coordination efforts of other DEA state and local task forces with any of the other types of Department task forces examined in this review that were present in those cities. We used this same approach for other components' operations, when applicable. For example, we used this approach to assess ATF's operations in Birmingham and Chicago, and to assess the USMS's operations in Philadelphia. Moreover, we added information to this final report to describe how we conducted the analysis in those cities that did not have all four types of task forces.

We did not agree with the DEA's assertion that our report should have addressed DEA state and local task force efforts in all eight cities we visited. Examining all of the types of state and local task forces that the

components have in all eight cities would have significantly expanded the scope of the review beyond Congress's request and would have lengthened the time period for this review. Consistent with the methodology described in the previous paragraph, we examined only the operations of the DEA's state and local task forces in the two cities that had no Mobile Enforcement Team deployments. In those cities, we did not examine the state and local task forces, but only examined how their operations were coordinated with the operations of the other components' task forces that were within the scope of our review.

Mobile Enforcement Team Deployment to Reading, Pennsylvania

Summary of the DEA Response. The DEA stated that the working draft of the report included a finding that in FY 2005 the DEA failed to coordinate the operations of a Mobile Enforcement Team in Reading, Pennsylvania, with other Department components, which created tensions there and delayed the Mobile Enforcement Team's operations. The DEA noted its previous request that the OIG remove references to the Mobile Enforcement Team deployment in Reading and stated that the DEA provided the OIG with documentation that the findings in the draft report were based on inaccurate and misleading statements by an Assistant U.S. Attorney. The DEA also presented a list of revisions to the draft report that the DEA asserted demonstrate that the "OIG has consistently altered the Reading [Mobile Enforcement Team] deployment section to fit their version of events." The DEA concluded this section of its response by stating that:

DEA is troubled that OIG has decided to put more weight into a statement made by a FBI Task Force supervisor over the statements of DEA and ATF Special Agents in Charge, the [Executive Office for U.S. Attorneys], and the U.S. Attorney's Office, Eastern District of Pennsylvania. It should be noted, that this MET deployment originated as a result of a Reading Police officer being killed in the line of duty. The Philadelphia DEA SAC offered funding, resources, and manpower to the Reading PD in an attempt to further combat their violent drug trafficking problem. The FBI Safe Streets Task Force represented to DEA that the assistance of the DEA MET was not wanted or needed and that the FBI Safe Streets Task Force had the situation fully under control. This is evidenced by the comments made to OIG by the AUSA that was the FBI Safe Streets Coordinator. It is the position of DEA that this is not an example of DEA's failure

to deconflict, but rather the FBI Safe Street[s] Task Force’s failure to embrace DEA’s MET resources as an ally as opposed to an adversary. In addition to DEA’s request to remove this section, the [Executive Office for U.S. Attorneys] also requested its removal since DEA did deconflict, coordinate, and cooperate prior to the MET deployment.

OIG Analysis. The OIG disagrees with the DEA’s contention that we have altered portions of the report to fit our “version of events” regarding the Reading Mobile Enforcement Team deployment. Our findings are based on multiple interviews and the review of documents provided to us. Moreover, we did not, as the DEA suggests, “put more weight into a statement made by a FBI Task Force supervisor over the statements of DEA and ATF Special Agents in Charge, [Executive Office for U.S. Attorneys], and the U.S. Attorney’s Office, Eastern District of Pennsylvania.” Rather, we concluded that the Reading deployment was not well coordinated because the ATF, DEA, and FBI task force managers provided conflicting accounts regarding the Mobile Enforcement Team deployment that clearly indicated a lack of coordination. We also received conflicting accounts from DEA headquarters, the U.S. Attorney’s Office for the Eastern District of Pennsylvania, and the Executive Office for U.S. Attorneys on the coordination of the Mobile Enforcement Team deployment with the FBI Safe Streets Task Force in Reading.

One example of the conflicting accounts involves a meeting among the ATF, DEA, and FBI Special Agents in Charge. Everyone we interviewed agreed that the meeting took place and that the topic was deployment of the Mobile Enforcement Team. However, recollections regarding the timing and purpose of the meeting varied. The DEA’s comments characterized the meeting as evidence of effective coordination, while the FBI Special Agent in Charge, an Assistant U.S. Attorney, and a local task force officer stated that the meeting was held to resolve various issues caused by the DEA’s initial lack of coordination.

After assessing the conflicting information provided by the components, we concluded that there were coordination issues between the FBI Safe Streets Task Force and the DEA Mobile Enforcement Team in Reading throughout the deployment, and that the meeting of the Special Agents in Charge was necessary to resolve coordination issues. The DEA’s comments actually confirm the coordination issues, which the DEA asserted were caused by the FBI’s “failure to embrace DEA’s MET resources as an ally as opposed to an adversary.” We do not affix blame in our discussion of the Reading issues (or in any of our discussions of

coordination issues), but present them as evidence of the need for better guidance on coordinating task force operations.

The DEA's comments also misstate the Executive Office for U.S. Attorneys' response to the OIG draft report. The Executive Office for U.S. Attorneys' comments, included in Appendix IX of this report, did not ask the OIG to remove references to the DEA Mobile Enforcement Team in Reading. Rather, the Executive Office for U.S. Attorneys commented that the OIG discussion of coordination issues in Reading "overstates the resulting delay in task force operations." However, as we report in Appendix X, in response to additional information provided by the DEA, we deleted the discussion related to delays in task force operations from the report because we did not affix blame in our discussion of coordination issues in Reading. We did not remove the discussion of the Reading Mobile Enforcement Team deployment for the reasons cited in this section.

APPENDIX IX: EOUSA RESPONSE



U.S. Department of Justice

Executive Office for United States Attorneys

Office of the Director

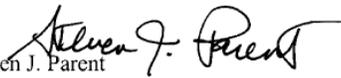
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MAR 26 2007

MEMORANDUM

TO: Paul A. Price
Assistant Inspector General
for Evaluation and Inspections

FROM: 
Steven J. Parent
Acting Director
Executive Office for United States Attorneys

SUBJECT: Response to the Inspector General's Review of the Coordination of Investigations by Department of Justice Violent Crimes Task Forces

The Executive Office for United States Attorneys (EOUSA) has reviewed the Department of Justice, Office of the Inspector General's (OIG) draft audit report entitled, *Coordination of Investigations by Department of Justice Violent Crimes Task Forces, A-2005-011*. EOUSA provides the following comments on the report's general findings, methodology and factual assertions. These comments do not respond to the report's specific recommendations, which are directed to and will be responded to by the Office of the Deputy Attorney General.

First, as a general matter, EOUSA agrees that greater coordination between and among investigating agencies leads to more effective law enforcement generally. EOUSA also agrees that the United States Attorneys' Offices can and should encourage coordinated task force operations within their districts. More cooperative task force activity results in more efficient use of federal monies and further reduces the risk of a "blue on blue" incident.

As the prosecutive office through which all criminal investigations must pass in order to reach fruition in court, the USAO has a unique and important perspective on the coordination of criminal investigations. However, it should be noted that, in their efforts to help coordinate currently existing violent crime task forces, the United States Attorneys' Offices (USAOs) do not control the personnel and resources of the investigative agencies. Thus, the USAOs' power to coordinate task force activity, while significant, is often limited to the power to persuade individuals and influence decisions. This fact is underplayed in the OIG report. EOUSA is hopeful nonetheless that the report will be a catalyst for improved coordination procedures in areas where they may be needed.

Second, the report is based in part on conversations with investigative agents regarding the activities of other investigative agencies. When particular anecdotes are discussed in the report it is not clear if all sides of the issue are fully presented. This format may lend itself to the possibility of causing tension between investigative agencies; tension that the agencies and the USAOs may have already worked hard to avoid.

Third, 77 percent of the duplicative arrests discussed in the report were attributable to overlap between the FBI and the USMS on fugitive investigations. (Report at 27 -29.) Apprehending fugitives is a critical function of law enforcement; without a defendant to prosecute the criminal case typically does not go forward. But it is also true that USAOs tend to have less involvement with the apprehension of fugitives than with the investigation of an unfolding criminal case. To the extent it can, of course, it is important that USAOs encourage operational deconfliction when more than one task force is searching for the same fugitive. However, it is not clear from the report how many of the fugitives who were the subject of these duplicative arrests were fleeing federal, as opposed to state, charges.

Apart from the above observations on the report's general conclusions and methodology, there are several specific factual issues that EOUSA would like to comment upon. First, in connection with the discussion of the FBI's efforts in Spokane, Washington, on page 19, we note that, notwithstanding the FBI's initially uncoordinated efforts, the United States Attorney maintains that it was the FBI's efforts that began the process of city and county discussions that led to the formation of a local coordinated gang effort. Indeed, it was these actions that formed the catalyst for what is now a very successful local Gang Enforcement Team (GET), which is a currently successful example of city, county, state and federal partnership. Similarly, as to the discussion on page 18 regarding the FBI's activities in Tulsa, Oklahoma, recent coordinated efforts on the part of the FBI and the USAO have served to resolve the problems discussed in the report.

As to the DEA's deployment of a MET Team in Reading, Pennsylvania, the report overstates the resulting delay to task force operations. (Report at 50.) Contrary to the impression left by the report, the DEA did meet with the USAO, ATF, and FBI and local law enforcement agents to work out logistics and deconfliction for the MET Team prior to the MET Team deployment in Reading. All targets were discussed in advance with the FBI. During the deployment, the USAO did not learn of any issues that impacted on the efforts of the Reading Area Violent Crime Task Force, and deconfliction worked well.

Regarding the task forces in Las Vegas, the report states that the DEA "specifically declined to work with the FBI Safe Streets Task Force because of tension between the two agencies." (Report at 59.) Broad statements such as this are not helpful to the report, particularly when the FBI and the DEA, along with the local sheriff's office, are currently working well together as part of the local METRO task force. In addition, the report states that "all four types of task forces operate in Las Vegas." This is somewhat misleading. Although the DEA MET Team from Los Angeles did deploy once to Las Vegas, from September 2003 until February

2004, it is inaccurate to say that a MET Team is currently operating in Las Vegas. Finally, there is presently new SAC or equivalent leadership at FBI, ATF, DEA, USMS, and HIDTA, *none* of whom were in Las Vegas when this report was being researched. Thus, the overall tenor of the section on Las Vegas does not correspond to facts on the ground now.

As to the task forces in Atlanta, on page 62 the report juxtaposes quotes from ATF and FBI which appear to overstate the duplication of effort by the VCIT and the multiple Safe Streets Task Forces in the Northern District of Georgia. The Atlanta VCIT is focused on the city of Atlanta, where there are few gangs, while only one of the Safe Streets Task Forces in the report operates in Atlanta, and that task force focuses mostly on areas outside the city limits.

Finally, the report's discussion of the task force coordination efforts in Birmingham, Alabama also should be clarified. The report methodology makes it clear that OIG reviewed data from FY 2003 to FY 2005. (Report at 77, Appendix II.) But Birmingham only had one national task force in operation at the close of FY 2005. Indeed, Appendix I at page 72 lists Birmingham as a city with only one task force as of the close of fiscal year 2005. The USMS fugitive task force referred to in the report did not become operational until July 2006, one month *after* the OIG visited Birmingham to collect information in May 2006. At the times noted there was no need to coordinate task forces because there was only one violent crime task force in operation. Thus, the report's finding that task forces in Birmingham are the least well coordinated seems primarily based on anecdotal worries of future overlap, rather than historical evidence. In addition, once two task forces began to operate in the district, but prior to the release of a draft of this OIG report, the district created a Violent Crime Working Group specifically designed to promote case coordination, deconfliction, and information sharing.

EOUSA appreciates the opportunity to offer the above comments. Notwithstanding the perceived drawbacks of the report, as described above, EOUSA fully agrees with the report's purpose and goals. EOUSA expects that as a result of the report, agency activities and investigations will be better coordinated in the future, leading to more effective prosecutions.

APPENDIX X: OIG ANALYSIS OF THE EOUSA RESPONSE

In a written response dated March 26, 2007, EOUSA provided formal comments to the OIG's report. In addition, as noted above, in a memorandum dated March 23, 2007, the Office of the Deputy Attorney General concurred with the report's four recommendations on behalf of the Department.

In its response, EOUSA agreed that greater coordination between and among the components' task forces results in more efficient use of federal resources and further reduces the risk of a blue-on-blue incident. With regard to the report's specific findings, EOUSA's comments addressed eight issues.

U.S. Attorney Coordination of Task Force Investigations

Summary of the EOUSA Response. EOUSA commented that the report understates the limits on the ability of U.S. Attorneys to coordinate task force investigations. EOUSA pointed out that the U.S. Attorneys do not control the personnel and resources of ATF, the DEA, the FBI, and the USMS.

OIG Analysis. With regard to the assertion that the report overstates the ability of U.S. Attorneys to coordinate task force investigations, we note with agreement a statement made by the Office of Deputy Attorney General in response to this report (Appendix III):

The United States Attorneys are in a unique position – even without direct authority over other federal law enforcement components – to assess and, if necessary, address any coordination concerns arising from the operation of multiple violent crime task forces in their districts. As your report recognizes, in some districts they are doing so effectively.

Tension Among Components

Summary of the EOUSA Response. EOUSA observed that our report includes anecdotes derived from “conversations with investigative agents regarding the activities of other investigative agencies” and that “it is not clear if all sides of the issue are fully presented.” EOUSA

expressed concern that the format of our report “may lend itself to the possibility of causing tension” between the components.

OIG Analysis. We believe that the report provides a balanced presentation regarding the level of cooperation among the components. The report discusses specific law enforcement events and provides perspectives from the participants in those events. During our review, we interviewed 234 officials involved in task force operations, including:

- Headquarters managers responsible for task force operations from all the components;
- Senior ATF, DEA, FBI, and USMS managers in field offices;
- Attorneys from U.S. Attorneys’ Offices;
- Chiefs of Police and other law enforcement officials;
- Associate and Assistant Deputy Attorneys General; and
- ATF, DEA, and FBI Special Agents; Deputy Marshals; and local officers.

Based on those interviews, we reported specific law enforcement events that were examples of effective coordination or the lack thereof. For example, the report’s descriptions of blue-on-blue incidents were based on the information provided to us by the Special Agents, Deputy Marshals, and local task force members actually involved in the incidents.

We also presented these descriptions to all of the components involved in a working draft and asked them to comment on accuracy. When the components supplied additional information on specific coordination issues, we assessed the additional information, compared it with information provided by the other components, and included relevant portions in our descriptions. We then provided all the components with a formal draft of this report and requested that they provide written comments on the issues presented. We included all of the formal comments provided by the components in this final report. Consequently, we believe that we have made reasonable efforts to ensure that our report provides all sides of the issues.

The OIG acknowledges EOUSA’s concern that some statements Special Agents and Deputy Marshals made about other components may cause tensions between the components. However, we believe the use of specific comments and opinions of the task force participants was essential to illustrate coordination issues. Moreover, the tensions that EOUSA is concerned about already exist, as we found in our field work.

Our report includes recommendations to improve coordination, which, if followed, should reduce tensions among the components.

U.S. Attorney Coordination of Fugitive Investigations

Summary of the EOUSA Response. The EOUSA stated that the U.S. Attorneys tend to have less involvement with the coordination of fugitive investigations than they do with investigations of an “unfolding criminal case.” EOUSA noted that 77 percent of the duplicate arrests we cited in our report were fugitive investigations. Further, EOUSA commented that the report does not make clear how many of the duplicate fugitive investigations involved state rather than federal charges.

OIG Analysis. We agree that U.S. Attorneys’ Offices tend to be more involved with criminal cases than with fugitive investigations. However, the U.S. Attorney is the chief federal law enforcement officer in each district and has authority to seek the federal warrants that the FBI must obtain to apprehend state fugitives under federal Unlawful Flight to Avoid Prosecution statutes. Accordingly, we recommended that the U.S. Attorney’s Office and the components’ task force managers in each jurisdiction with multiple violent crime task forces implement guidance for coordinating task force operations. The EOUSA comment that the report does not identify how many of the federal fugitive investigations were based on state charges is not material because the U.S. Attorneys’ Offices are responsible for ensuring that federal task forces coordinate all of their fugitive investigations, as made clear in the Deputy Attorney General’s May 11, 2007, memorandum.

Coordinated Anti-Gang Task Force Efforts in Spokane and Tulsa

Summary of the EOUSA Response. EOUSA stated that notwithstanding the FBI’s initially uncoordinated efforts in Spokane and coordination problems in Tulsa, the U.S. Attorneys in both cities believe that coordination has significantly improved.

OIG Analysis. We accept, but have not independently verified, EOUSA’s report of recent cooperation by the FBI in a local anti-gang task force in Spokane and the resolution of coordination problems in Tulsa. Notwithstanding any recent improvements, during the time period examined in this review we found coordination issues in both cities, and we reported on these issues and made recommendations for improvement.

Delays Caused by Coordination Issues in Reading

Summary of the EOUSA Response. EOUSA commented that the report overstates the delay in task force operations resulting from conflict involving deployment of a DEA Mobile Enforcement Team in Reading, Pennsylvania, and understates the DEA’s coordination efforts in that city. In addition, EOUSA said that deconfliction efforts worked well in the Reading deployment.

OIG Analysis. As noted above, in response to additional information provided by the DEA, we deleted the discussion related to delays in task force operations from the report. Regarding EOUSA’s comments that we understated the DEA’s coordination efforts in Reading and that deconfliction efforts worked well, an Assistant U.S. Attorney reported that the U.S. Attorney’s Office had to mediate several meetings involving the DEA, the FBI, and ATF to determine how federal targets of the Reading Mobile Enforcement Team deployment would be deconflicted. In the report, we also noted that individual DEA and FBI task force operations were deconflicted by the Berks County District Attorney’s Office rather than by direct communication between the DEA and the FBI.

Task Force Operations in Las Vegas

Summary of the EOUSA Response. EOUSA stated that our report of tensions between the FBI and DEA in Las Vegas is “not helpful” because the components are “currently working well together,” the leadership of all the components’ field offices in Las Vegas has changed since our site visits, and the overall tenor of the report’s discussion of Las Vegas does not correspond to the “facts on the ground now.” EOUSA also commented that the report is “somewhat misleading” because a DEA Mobile Enforcement Team is not currently operating in Las Vegas.

OIG Analysis. We believe the description of events we presented is accurate. The report reflected the situation in the Las Vegas field offices during the time period encompassed by our review as reported to the OIG by Special Agents, Deputy Marshals, local HIDTA officials, and local law enforcement officials. We have not independently assessed the improvements that EOUSA asserted have been made since the conclusion of our field work.

ATF Violent Crime Impact Team and FBI Safe Streets Task Force Operations in Atlanta

Summary of the EOUSA Response. EOUSA stated that the report juxtaposes quotes from ATF and the FBI that appear to overstate the duplication of effort by the ATF Violent Crime Impact Team and the multiple FBI Safe Streets Task Forces in Atlanta. EOUSA stated that the ATF Violent Crime Impact Team is focused on the city of Atlanta where there are few gangs, while only one of the FBI Safe Streets Task Forces operates in Atlanta and instead focuses mostly on areas outside the city limits.

OIG Analysis. We disagree with EOUSA's assessment that the report overstates the degree of duplication of effort by the ATF Violent Crime Impact Team and the multiple FBI Safe Streets Task Forces in Atlanta. Our interviews with ATF and FBI Special Agents revealed a significant mission overlap and a lack of coordination between the task forces. Regarding EOUSA's statement that the task forces operate in different geographic areas, although the task forces may focus on different areas, their operations overlap in some cases. For example, the Coordinator of the FBI Safe Streets Task Force in Atlanta told us that the FBI has an active Racketeer Influenced and Corrupt Organizations Act investigation of a gang in Atlanta and that the ATF is also investigating members of the same gang in Atlanta.

Inclusion of Birmingham in the Coordination Analysis

Summary of the EOUSA Response. EOUSA stated that the report's discussion of task force coordination efforts in Birmingham should be clarified because the OIG reviewed data from FY 2003 through FY 2005 and Birmingham had only one national task force in operation at the close of FY 2005. EOUSA also stated that our finding that "task forces in Birmingham are the least well coordinated seems primarily based on anecdotal worries of future overlap rather than historical evidence."

OIG Analysis. A USMS Regional Fugitive Task Force was created in Birmingham during our review. After six site visits to cities with three or more task forces, we asked the components to recommend additional cities for inclusion in our review. The components recommended several cities, and we chose Birmingham from among them. The USMS Regional Fugitive Task Force and ATF Violent Crime Impact Team that is planned for Birmingham would make it the eleventh city in the country with three

types of Department violent crime task forces. Our site visit to Birmingham provided us with an opportunity to evaluate the coordination of investigations and operations of violent crime task forces at an earlier stage than in the other cities we visited.

The EOUSA comment that we based our finding that Birmingham was the least well coordinated city primarily on potential future overlap is incorrect. We assessed coordination based on the operations of the task forces in Birmingham and seven other cities during the period from FY 2003 through FY 2006. There was no element related to any “future overlap” in our criteria. Hence, our finding that Birmingham was the least well coordinated of the eight cities was based on our observations and interviews, not on a concern about future overlap.

APPENDIX XI: FBI RESPONSE



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

May 3, 2007

The Honorable Paul A. Price
Assistant Inspector General
Office of the Inspector General
Evaluation and Inspection Division
Department of Justice
Suite 6100
1425 New York Avenue
Washington, DC 20530

Dear Mr. Price:

While the FBI agrees with elements of the OIG's final recommendations, providing as they do generally constructive suggestions on improving coordination, we differ with aspects of the methodology employed by the OIG, the interpretation given certain data, and to certain conclusions and their suggested remedies. As noted by this response, these deficiencies in methodology and misinterpretation of policies and data have resulted in conclusions that present a somewhat flawed picture of FBI task force operations and coordination.

We believe it is important that the OIG's conclusions concerning the FBI's coordination of task force activities be viewed not only in light of the specific concerns enumerated in this letter, but in the larger context of the FBI's overall success in combating violent crime. In that regard, we note that FBI Safe Streets Task Forces (SSTFs) have, since their inception in 1993, made 186,140 arrests, obtained 40,681 indictments and 40,881 convictions, and disrupted 2,208 and dismantled 434 criminal organizations.

Deficiencies in Methodology

Before discussing in detail the Report's specific findings, we summarize below some general observations and concerns with the Report and its methodology.

Use of Anecdotal Opinion Comments

The OIG makes extensive use of anecdotal opinion comments in the Report. Many of the comments are not accompanied by the perspectives of other participants in the events referenced and, thus, lack the balance and context that multiple perspectives invariably provide. For an audit of this sort to yield accurate results, information from all possible sources should be taken into account to reliably identify trends and reach conclusions. Written survey instruments are often used for this purpose. The OIG has indicated that it did not employ such a tool in this case.

Failure to Seek Response to Interviewees' Comments

Statements by individuals regarding the performance or actions of other individuals or components included in the Report are rarely, if at all, accompanied by a response from the referenced individual or component. The OIG has confirmed in discussion that it typically did not seek responses to such statements, but accepted them at face value.

Lack of FBIHQ Program Management Input

The OIG audit would have benefitted from earlier input by policy makers. The Assistant Director and the Deputy Assistant Director of the FBI's Criminal Investigative Division were not contacted by the OIG before it concluded that FBI Headquarters managers do not require coordination of task force operations. In essence, the OIG reached many conclusions about policy and coordination efforts without first consulting the policymakers.

Use of Improperly Defined Terms and Misinterpretation of Data and Policy

The audit results incorporate poorly or improperly defined terms. For example, the Report contains conclusions about "duplicate arrests" based on component comments as to whether there was cooperation on an "investigation" represented by a named arrestee. Given how Violent Gang SSTFs operate (i.e., an investigation is normally of a gang organization and not an individual), it is certainly the case that a component might not indicate there was coordination on an arrest of an individual, while there may have been ample coordination on the "investigation" of the gang to which that individual belonged. By relying on self-reporting by *individuals* in a component regarding whether *they were aware* of coordination, and without applying standard definitions regarding investigations, the OIG's conclusion about duplicate arrests and investigations cannot be an accurate assessment of either.

The OIG represented its conclusions on task force management, cooperation on investigations, and law enforcement event deconfliction through a series of graph charts. However, the absence of any rationale for the relevance of some of the criteria the OIG used as performance elements, or the manner in which performance was measured, detracts from the validity of the conclusions represented in the charts. There may be value in some of the findings set forth in some of the charts, but they are based on largely untested and unsupported reasoning.

Disputed Material

As stated above, deficiencies noted in the OIG's audit have resulted in erroneous conclusions or inferences regarding the FBI's coordination of violent crime task force activity. The most significant errors and inaccuracies are set forth below:

FBI Headquarters Guidance and Efforts Regarding Task Force Coordination

The OIG asserts that FBI Headquarters managers do not require their task forces to coordinate task force operations. On page 13 and in other locations in the Report in substance, the OIG states:

"Some components have nation-wide policies that require coordination of task force operations...In contrast, the FBI's policies do not address FBI coordination with new task forces created by the other Department components or FBI participation in or coordination of investigations with violent crime task forces led by other Department components."

The FBI does, in fact, have nationwide policies for coordination, but does not instruct individual field offices in the means to most effectively accomplish coordination. The FBI recognizes that varying local circumstances influence how coordination is best accomplished and FBI Headquarters, after providing general guidance to its field offices, allows local field office

managers the discretion to determine how to achieve optimum coordination with other task forces. On page 7 of the Report, the OIG recognized that FBI Headquarters has in fact issued just such direction to the field. As noted in the Report, in 2004 FBI Headquarters began requiring that proposals for new SSTFs be submitted by SACs and approved by FBI Headquarters, and that those proposals must include "[A]n analysis of the crime problem within the FBI Safe Streets Task Force area; a list of the federal, state and local agencies that would participate on the FBI Safe Streets Task Force; and a list of existing task forces in the area with whom the new FBI Safe Streets Task Force would have to coordinate." (emphasis added). Not only do FBI Headquarters managers require coordination, FBI Headquarters approval of proposals for new task forces is contingent upon the proposal's inclusion of a satisfactory plan to achieve such coordination.

The FBI has long emphasized the importance of a coordinated approach to intelligence and investigative efforts. Cooperative relationships with our federal, state, local and tribal partners are essential to our work. Moreover, since the inception of the SSTF Program in the early 1990s, FBI Headquarters has consistently directed field offices to work cooperatively with other state, local and federal agencies to coordinate investigations and to work together in a unified law enforcement effort. In a memorandum from the Director to all SACs dated 11/16/93 announcing the FBI's National Gang Strategy, the following guidance is given: "[T]he task force concept is essential to ensure we eliminate any duplication of effort within the law enforcement community . . . the FBI, in conjunction with other affected federal, state, and local law enforcement agencies, will address . . . development of a multi-jurisdictional task force approach which will ensure field offices initiate and coordinate investigative efforts with other affected agencies . . . field offices will coordinate their intelligence-gathering efforts with other federal agencies, including the ATF, DEA, . . . all federal, state, and local law enforcement agencies are provided the opportunity to participate and contribute to this investigative effort."

The FBI will continue its coordination efforts with its law enforcement partners to reach agreements that result in each component achieving its mission and most effectively serving the public.

Duplicate Arrests/Duplicate Investigations

We disagree with the OIG's broad conclusion that duplicate arrest statistics indicate duplicate investigations or duplication of efforts. In fact, it appears that the OIG more likely has identified instances of *duplicate reporting* from multiple and disparate investigations rather than duplication of effort. The 1,288 arrests the OIG identified as being reported by more than one task force during a three year period (a nationwide average of only 429.3 each year for FYs 2003-2005) represents 1.3% of the 97,228 total arrests made by the components examined. The 768 arrests labeled as "duplicate" by the OIG make up .78% of all arrests by the component agencies during the period. Even assuming that each of these arrest represent a duplicate investigation, the final number is so small as to be statistically insignificant. The OIG deemed a similar "duplication" percentage (.65% - 196 out of 29,967 arrests erroneously reported by the United States Marshals Service (USMS)) as being of little consequence. Finally, seen another way, by its own accounting the OIG establishes that 99.2% of the nearly 100,000 component arrests proceeded without duplication of any kind -- a testament to the coordination and deconfliction efforts of all of the DOJ component agencies.

On pages vii-ix of the Report, the OIG states,

"Of the 97,228 arrests the components' task forces made from FYs 2003 through 2005, we found that 1,288 had been reported by more than one task force. While this number is small, it represents significant efforts by two task forces all the way up to arrest...we found that the components conducted 768 duplicate investigations (60 percent) and cooperated in 520 joint investigations (40 percent)...Nonetheless, our analysis...demonstrated that the task forces were more likely to duplicate another task force's investigation than to cooperate in a joint investigation."

Further, the OIG conclusion that 768 arrests were duplicate arrests is not supported by its data. On page 25 of the Report, the OIG states, "On the basis of the information the components provided, we identified four ways in which the components duplicated efforts," and broke down the composition of the figure of 768. Notwithstanding the FBI's disagreement that duplicate arrest reporting is indicative of duplicate investigation, one of the "four ways" the OIG specifically identified as representing duplication does not qualify as either duplicate investigation or duplication of effort. The Report stated on page 26:

"In 81 arrests, one component reported that its task force became involved after the arrest to prepare additional federal charges against the defendant or to arrange for the defendant's transfer from state to federal custody. However, the component that conducted the pre-arrest investigation and made the arrest did not acknowledge the post-arrest participation of the other task force."

The OIG appears to describe a situation in which the USMS, upon assuming custody of a prisoner arrested by another component, determines the existence of additional warrants/charges -- charges other than the charges for which the other component initially arrested the subject -- and "arrests" the prisoner for those charges in order to clear the other warrants. The key language in the OIG description that disqualifies the inclusion of this type of circumstance from any alleged "duplicated efforts" category are the words "*became involved after the arrest.*" The OIG description of events indicates no duplicate efforts occurred concerning the initial arrest; one agency began a new "investigation" after another agency concluded its own by making an arrest.

The FBI does not agree with the Report's conclusion that the initial arresting agency should have acknowledged the post-arrest participation of the other task force. First, the initial agency is very likely unaware of the subsequent arrest on unrelated charges made by the other task force/agency when reporting its arrest. Second, were the initial agency to become aware of a subsequent arrest of the subject on unrelated charges by another agency, the subsequent arrest would not be included during arrest reporting by the original arresting agency because it is unrelated to the initial arrest. Likewise, a custody transfer accomplished by one agency subsequent to a subject's arrest by another does not equate to participation in the initial arrest.

We object to another passage in the Report that discusses "duplicate" investigations. On page 30 of the Report, the OIG states,

"In these cities, we found that task forces conducted duplicate investigations and wasted resources."

In view of the OIG's flawed interpretation of "investigation" and questionable data analysis, we disagree the law enforcement efforts in these cities represent "wasted resources." This broad criticism is not borne out by the data.

Finally, we take issue with the statement appearing on page 22 of the Report, which reads,

"We found that the FBI and USMS fugitive task forces have duplicated one another's efforts, and these duplicate investigations can create a risk to officer safety."

The OIG did not establish that its duplicate arrest data (the inclusion of at least 81 arrests, or 10.5% of the total of the 768, likely being invalid as shown above), reliably indicated significant duplication in investigative efforts. The FBI takes seriously the need to ensure the safety of its Agents, other law enforcement officers and the public. As noted in the section of this response dealing with deconfliction, the Report did not identify a single instance of injury to either a law enforcement officer or member of the public as a result of inadequate deconfliction efforts by any of the components.

Event Deconfliction

The FBI is in full agreement with the need for effective deconfliction to ensure both officer safety and the effective use of resources. The FBI disagrees that effective deconfliction can only be achieved if law enforcement agencies deconflict every law enforcement action. Law enforcement officers conduct hundreds of thousands of investigative actions each year, many of them involving dynamic and fast-changing circumstances. The FBI believes existing information sharing/deconfliction efforts, while not perfect, have functioned effectively and rejects the OIG's conclusion that existing deconfliction efforts (particularly the FBI's) are inadequate.

The OIG defined its standard for effective information sharing and deconfliction on page xiii of the Report, as follows:

"We believe that the critical factor in event deconfliction is task force compliance with policies mandating the use of a common deconfliction system for every event...they are planning - such as an undercover operation, surveillance, or execution of a search warrant or arrest warrant...Unless all law enforcement agencies operating in a geographic area notify one another by telephone, radio, or through an information sharing system of their planned events, officer safety can be put at risk."

Further, the FBI is concerned that the OIG's recommendation to "require each component to use national and local information-sharing and deconfliction systems to coordinate investigations and protect officer safety" could cause confusion. This is particularly true to the extent "require" means to mandate systems that are not acceptable to all participating agencies, including the hundreds of state and local law enforcement partners on FBI task forces.

Page v of the Report includes the statement,

"We also found that failures to coordinate task force investigations resulted in three "blue on blue" incidents - incidents in which the

failure to deconflict events resulted in task force members being misidentified as criminals by members of other task forces."

The OIG identified three possible "blue-on-blue" incidents out of the thousands of investigative events (surveillances, arrests, searches, controlled buys, and undercover operations) conducted by the task forces whose operations were examined -- and of the three events cited, one did not involve an encounter between two law enforcement officers and should not have been characterized as a "blue-on-blue" incident. The professionalism exhibited by the Officers, Deputy Marshals and Agents quickly defused the situations and no injuries resulted. The findings cited in the Report support neither the conclusion that existing deconfliction efforts are inadequate nor the recommendation that components and their state/local partners be required to use an additional, undefined, system -- especially one so unworkable as to require deconfliction of every planned law enforcement action.

Joint Investigations/Cooperation on Investigations

In several places in the Report, the OIG notes that the FBI infrequently joins the efforts of its SSTFs to other DOJ-component task forces. While we agree that there will be instances in which work *between* task forces is appropriate, we disagree with the notion that activity between task forces beyond deconfliction is an appropriate goal or represents an efficient use of task force resources. The DOJ components exercise sound judgment and cooperate when necessary, but are properly conducting investigations within their respective missions the majority of the time. There are approximately 1 million fugitives in the U.S. Task forces sometimes identify that they are pursuing the same subject. One subsequently steps aside, demonstrating coordination between agencies and avoiding the duplication the OIG asserts is occurring.

Nevertheless, the Report attributed to an FBI SSTF Supervisor a statement that the SSTF works firearms cases on its own, rather than turning over intelligence to the ATF. The FBI *does not* independently investigate felon-in-possession or illegal firearm cases. Rather, firearms violations are investigated when encountered as part of gang and violent crimes investigations. In February 2006, the FBI provided the OIG with FBI communications setting forth policy in the area of firearms violations. The policy statements establish the FBI as having concurrent jurisdiction with ATF for firearms violations integral to the FBI's core gang and violent crime jurisdiction. As communicated to the OIG, this policy has been made available to the field by way of the FBI Manual of Investigative and Operational Guidelines and at least four separate Electronic Communications to the field from 1998 to the present.

To ensure the SSTF in question was abiding by FBI policy, we contacted the interviewee, who recalled the OIG question to be, "If you found a gun in a crack house would you notify ATF?" The Agent responded that he would not, as the FBI could charge the person with a firearms violation as part of its umbrella drug investigation. This is consistent with FBI policy and we are satisfied this and other FBI SSTFs are, consistent with FBI policy, not investigating stand-alone felon-in-possession or illegal firearm cases.

Finally, with regard to an incident reported on page 65 of the Report, the OIG states,

"...FBI Safe Streets Task Force members were conducting surveillance on a house when task force officers noticed that DEA Special Agents were conducting surveillance on the same house...the FBI Safe Streets Task Force members learned that the

DEA had been investigating the targeted gang for a long time for drug trafficking before the FBI Safe Streets Task Force began a murder-for-hire investigation on the same gang...The U.S. Attorney had to referee between the two components. Both components have continued with their separate investigations, but said that they coordinate and deconflict on a daily basis."

The OIG confirmed that the DEA and FBI, in conjunction with the USAO, resolved the issue and coordinate/deconflict on a daily basis. The DEA's concerns in this matter were entirely understandable, and the OIG justifiably cited the fact that the DEA had been conducting a long-term investigation. Also legitimate was the FBI's desire to move forward on its investigation; i.e., a murder-for-hire investigation. A potential for a murder-for-hire being carried out demands an immediate response, and the FBI was both within its jurisdiction and following proper investigative strategy to seek to move quickly. Ultimately, however, there was a need for the FBI to honor the DEA's ongoing efforts, which did occur. There will always be matters between agencies and task forces that require resolution. The question should be whether such inevitable issues of agency overlap are satisfactorily resolved. Rather than representing a failure of coordination or need for joint investigation, we believe the resolution cited by the OIG is an example of the value of partnerships in law enforcement.

Conclusion

Certainly there is room for improvement in the conduct of FBI task force coordination, and the FBI remains committed to improving its efforts in this regard. We believe the many instances of documented coordination between the FBI and its partners, the failure by the OIG to establish more than nominal duplication of effort or risk to officer safety, and the significant record of success established by the FBI and its partners in pursuit of their various missions, suggest that FBI and DOJ component task force coordination is generally very effective.

Sincerely,

Kenneth W. Kaiser
Assistant Director
Criminal Investigative Division

APPENDIX XII: OIG ANALYSIS OF THE FBI RESPONSE

The FBI provided its written response to the OIG's draft report on May 3, 2007. In addition, as noted above, in a memorandum dated March 23, 2007, the Office of the Deputy Attorney General concurred with the report's four recommendations on behalf of the Department.

In its response, the FBI stated that it remains committed to improving task force coordination and asserted that the OIG's report suggests that "FBI and DOJ component task force coordination is generally very effective" because it does not establish "more than nominal duplication of effort or risk to officer safety." The FBI expressed concerns about the OIG's methodology and disagreed with aspects of the OIG report's findings related to FBI headquarters' guidance on coordination, duplicate investigations, information sharing and deconfliction, and cooperation on investigations. Although the FBI agreed with elements of the OIG recommendations, it differed with various conclusions and statements in the report. Summaries of each of the FBI's main points follow, accompanied by the OIG's response.

OIG Methodology and Criteria

Use of Anecdotes

Summary of the FBI Response. The FBI stated that the OIG made extensive use of anecdotes and presented them without perspective, balance, or context. The FBI also stated that written survey instruments are often used to provide balance and context based on multiple perspectives, but that the OIG did not conduct a survey for this report.

OIG Analysis. We disagree with the FBI's statements that the OIG report used anecdotes that lacked perspective, balance, or context. The report discussed specific law enforcement events and provided multiple perspectives from participants in those events regarding the level of cooperation among components. We discussed those events and our presentation of them with knowledgeable individuals from the various task forces, including the FBI and the U.S. Attorneys' Offices. During our review, we interviewed 234 officials involved in task force operations, including:

-
- Headquarters managers responsible for task force operations from all the components;
 - Senior ATF, DEA, FBI, and USMS managers in field offices;
 - Attorneys from U.S. Attorneys' Offices;
 - Chiefs of Police and other law enforcement officials;
 - Associate and Assistant Deputy Attorneys General; and
 - ATF, DEA, and FBI Special Agents; Deputy Marshals; and local officers.

While written surveys may be used during reviews to solicit a broader response, they do not necessarily provide a balanced, contextual description of specific events – that requires interviewing knowledgeable participants regarding the event, which was our methodology in this review. Further, the FBI response ignores the fact that, to supplement our extensive interviews, we conducted a voluntary survey with the FBI's support using the FBI's own Law Enforcement Online (LEO) system. To provide an opportunity for law enforcement officers and Special Agents to participate in our review, we invited the more than 35,000 law enforcement officers and Special Agents who have access to LEO to identify task force coordination issues or to provide specific examples of task force coordination. We created a task force coordination "special interest group" on LEO and posted an invitation to participate on the LEO "splash page." However, we received very few responses to our voluntary survey and did not include the results in our report.

Moreover, to ensure that our descriptions of events in the report were accurate, we provided the FBI, the Office of the Deputy Attorney General, and the other components with a working draft of the report and allowed significant time for them to review it and provide any comments or additional information. Based on the comments and information we received from the FBI and the other components, we supplemented or revised our report's descriptions of specific task force events when appropriate. The FBI's final comments of May 3, 2007, did not include any additional information regarding any of the specific task force events we describe.

Responses to Interviewees' Comments

Summary of the FBI Response. The FBI stated that the OIG included statements by individuals regarding the performance or actions of other individuals or components, but rarely included a response from the referenced individual or component.

OIG Analysis. The FBI is correct that the OIG report does not include responses to every statement made by ATF, DEA, and FBI Special Agents, Deputy Marshals, Assistant U.S. Attorneys, or local task force members regarding task force coordination. We included the opinions of these task force participants regarding the general level of coordination to illustrate their attitudes and perceptions regarding the level of coordination with other components. Given the need for communication and coordination, we believe the general opinions of knowledgeable officers and agents working on these task forces are an important aspect to examine in assessing the level of cooperation among various Department task forces. In each case, we presented the statements in context, accompanied by the position, title, or duties of the person expressing the opinion.

However, in contrast to opinion statements, when individual statements related to factual matters, such as descriptions of what occurred during blue-on-blue incidents, we presented comments from other individuals involved, including the FBI, to provide a complete description of what occurred.

FBI Headquarters Program Management Input

Summary of the FBI Response. The FBI stated that the OIG reached conclusions about policy and coordination efforts “without first consulting the policymakers,” such as the Assistant Director and the Deputy Assistant Director of the FBI Criminal Investigative Division. The FBI stated that the OIG’s efforts would have benefited from earlier input by these officials.

OIG Analysis. Again, we disagree with the FBI's response. To identify the FBI’s policy and its policy makers, during the entrance conference that we conducted at the outset of our review we asked the FBI to provide:

- Descriptions of coordination efforts and activities by each Safe Streets Task Force;
- Copies of FBI policies on coordination of task force operations, including Memorandums of Understanding with federal, state, and local law enforcement;
- Copies of FBI policies regarding the deconfliction of task force investigations; and
- Contact information for headquarters employees responsible for Safe Streets Task Force operations.

We reviewed the policies the FBI provided and interviewed the sole headquarters manager the FBI identified in response to our written request. That individual identified another headquarters manager involved in task force program management, whom we also interviewed. Neither manager suggested any higher-level policy makers that we should consult. To the contrary, both stated that the Special Agent in Charge of each field office is responsible for task force operations and coordination (which the FBI's May 3, 2007, comments confirmed). We asked to interview the FBI Special Agent in Charge at each of the eight sites we visited, and we interviewed three of them. Finally, during the review we provided three formal briefings on the progress of the review to the components and gave the components the opportunity to provide information or identify other officials we should interview. The liaisons and managers the FBI sent to these briefings also did not suggest that we interview the Assistant Director and the Deputy Assistant Director of the FBI Criminal Investigative Division.

Only after receiving the working draft report did the FBI identify these two headquarters managers as being responsible for Safe Streets Task Force operations and complain that they had not been interviewed. We met with the Deputy Assistant Director of the FBI Criminal Investigative Division, who provided a minimal amount of new information. We included that information in the report along with other information from the FBI's written response.

Definition of Terms and Interpretation of Data and Policy

Summary of the FBI Response. Regarding arrest data, the FBI stated that the OIG wrongly equated components' cooperation on a specific arrest with coordination on the larger investigation that produced the arrest. The FBI stated that the OIG's findings on duplicate arrests relied on "self-reporting by *individuals*" who may have been unaware of coordination of investigations involving those individuals that occurred at higher levels of the task forces. Regarding the OIG's analysis of task force coordination, the FBI stated that an "absence of any rationale for the relevance of some of the criteria" the OIG used as performance elements in its review "detracts from the validity of the conclusions."

OIG Analysis. The FBI misconstrued the OIG's analysis of arrests reported by more than one task force. To identify instances of cooperation or duplication of effort among the task forces, we examined

data from FY 2003 through FY 2005 to find instances in which more than one component task force investigated the same individual. We then used statistical analysis software to compare lists of task force arrestees provided by each component to identify instances in which more than one task force reported making the same arrest. We provided this information to the components that reported the arrests and asked them to review their case files and explain why both they and another component had reported the arrest. The components decided who would conduct the case file reviews, and each component had the opportunity to review the explanations before providing them to us. None of the component responses to these questions constituted “self-reporting by individuals” as asserted by the FBI’s response, but rather were provided by the FBI and the other components through designated liaison channels.

Regarding the FBI’s comments on “performance elements,” the rationale for our criteria is explained in detail on pages 11, 12, and 31 of the report, and those explanations were included in the draft reviewed by the FBI. The criteria were developed based on information provided by managers and task force members (including FBI Special Agents) in response to a series of questions designed to identify the most important actions they took to ensure that task force investigations were well coordinated. From their answers, we developed 28 criteria to assess the components’ efforts to coordinate their task force investigations on three levels – task force management, cooperation during investigations, and law enforcement event deconfliction. Apart from its general statement, the FBI does not challenge the relevance of any specific criterion or describe any particular flaws in the OIG’s assessment of the FBI’s performance against any of the criteria. Consequently, we made no changes in response to the FBI’s general comment.

FBI Headquarters Guidance on Task Force Coordination

Summary of the FBI Response. The FBI stated that the report incorrectly concludes that the FBI does not have a nation-wide task force coordination policy. The FBI asserted that it does have a nation-wide policy for coordination but does not instruct individual field offices in the means to most effectively accomplish such coordination. The FBI stated that elsewhere in the report the OIG recognizes the existence of this FBI policy, which requires that proposals for new FBI task forces include “a list of existing task forces in the area with whom the new FBI Safe Streets Task Force would have to coordinate.” The FBI also stated that approval of a proposal for a new task force is “contingent upon the proposal’s inclusion of a satisfactory plan to achieve such coordination.”

OIG Analysis. The FBI policy referenced in the FBI comments was issued in 1993 and is not a nation-wide coordination and deconfliction policy because it does not address coordination of existing task forces, FBI coordination with new task forces created by the other Department components, or FBI participation in or coordination of investigations with violent crime task forces led by other Department components. Our report describes the FBI’s 1993 policy, which contains the requirements for establishing and operating multi-jurisdictional FBI Safe Streets Task Forces made up of federal, state, and local agencies. The FBI policy requires that proposals for new FBI Safe Streets Task Forces list other law enforcement agencies in the area with which the new FBI Safe Streets Task Force would have to coordinate. However, the policy does not address the coordination or deconfliction of Safe Streets Task Force investigations with the investigations conducted by other federal violent crime task forces.

Moreover, FBI headquarters managers told us, and we observed in the field, that the FBI policies described in the FBI’s response are directed at managing FBI task forces, not at ensuring coordination with other Department task forces. As the FBI states, its policy does not “instruct individual field offices in the means to most effectively accomplish coordination.” Rather, the FBI’s policy leaves to the discretion of the local Special Agents in Charge whether and how to coordinate task force investigations. As our report demonstrates, in the absence of a uniform FBI policy some Special Agents in Charge have established local coordination and deconfliction policies while others have not. Consequently, the FBI claim that it has a nation-wide policy regarding coordination of task force investigations is not supported either by the letter of its policy or by the activities of its field offices.

Regarding the FBI’s statement that approval of a proposal for a new FBI task force is “contingent upon the proposal’s inclusion of a satisfactory plan to achieve such coordination,” no such requirement was included in any documents provided during our review, nor was any such requirement identified to us during interviews.

Duplicate Investigations

Summary of the FBI Response. The FBI stated that the OIG conclusion that duplicate arrest statistics indicate duplicate investigations is incorrect because it is more likely that the OIG identified duplicate reporting from multiple or disparate investigations. Specifically, the FBI stated that 81 of the 1,288 arrests identified by the OIG were improperly counted as duplicates by the OIG because one of

the components became involved “after the arrest.” The FBI also stated that “the OIG establishes that 99.2 percent of the nearly 100,000 component arrests proceeded without duplication of any kind” because the arrests labeled as duplicate by the OIG make up only 0.78 percent of all arrests by the components.

OIG Analysis. The FBI’s statement that the 1,288 overlapping arrests we identified were “duplicate reporting” is incorrect. Appendix II of this report explains in detail the steps we took to eliminate duplicate reporting. We also explained to FBI headquarters staff in meetings discussing the report why we believe there is no duplicate reporting among the 1,288 arrests.

Regarding the 81 arrests that the FBI questions, we believe these were correctly characterized as “duplicate investigations.” We characterized these arrests as duplication because the explanations provided by the components showed that, even after the arrest, one or both of the components remained unaware that warrants had been issued or investigations were being conducted by another component. In contrast, we characterized other duplicate arrests as “joint investigations” because both components reported working together after the suspect’s arrest (98 arrests) or using information-sharing systems to identify fugitives and close additional warrants after a task force arrested a suspect for a federal crime (92 arrests).

The FBI’s statement that “99.2 percent of the nearly 100,000 component arrests proceeded without duplication of any kind” is not correct. It is based on the faulty assumption that, because none of the other 95,940 arrests were *reported* by more than one task force, none of the individuals arrested were being *investigated* by more than one task force. In fact, instances in which task forces had been investigating the same individual were reported to us during our review by Deputy Marshals and Special Agents.

Information Sharing and Deconfliction

Summary of the FBI Response. The FBI agreed with the need for effective deconfliction to ensure officer safety and the effective use of resources, but stated that it disagreed that “effective deconfliction can only be achieved if law enforcement agencies deconflict *every* law enforcement action” (emphasis in original). In addition, the FBI disagreed with the OIG’s conclusion that the FBI’s existing deconfliction efforts are inadequate. The FBI also expressed concern that the OIG’s recommendation that the Department “require each component to use national and local information-sharing and deconfliction systems to

coordinate investigations and protect officer safety” could “cause confusion” given that some systems are not acceptable to all participating agencies. Finally, the FBI stated that because no injuries to “law enforcement officers or members of the public” resulted from the blue-on-blue incidents the OIG identified, our findings do not support deconfliction of every planned law enforcement event.

OIG Analysis. Our report does not recommend that the Department require the components to deconflict all events. While our analysis demonstrated that event deconfliction is most effective when task forces use a common deconfliction system for every event, we also recognize that adequate systems to conduct such deconfliction are not available to every task force. Consequently, we recommended that the Department “require each component to use national and local information-sharing and deconfliction systems to coordinate investigations and protect officer safety.” We also disagree that such deconfliction would cause confusion, or that because injuries from blue-on-blue incidents have not yet occurred that the current level of deconfliction is adequate. The Department should not wait until injury or death occurs to improve its deconfliction activities.

The Deputy Attorney General concurred, and in a memorandum dated March 23, 2007, implemented the OIG recommendation by directing the FBI and the other components to:

[U]tilize, where available and effective, information sharing and deconfliction measures to coordinate investigations in geographical areas where more than one DOJ-led violent crime task force operates. Each component should also adopt, to the extent it does not already have one, a policy consistent with this directive that requires all of its violent crime task forces to utilize information sharing and deconfliction measures.

To ensure compliance with his directive, the Deputy Attorney General is requiring each of the components to:

[C]ertify, no later than June 1, 2007, that it has policies and procedures in effect at the national and local level that mandate coordination with other violent crime task forces, including where effective and available, participation in information sharing and deconfliction measures.

We have accepted the Deputy Attorney General's actions as addressing our recommendation. We will continue to monitor the Department's effort to ensure that the components comply with this directive.

Cooperation on Investigations

Summary of the FBI Response. The FBI disagreed with what it deemed an OIG notion that activities between task forces beyond deconfliction "is an appropriate goal or represents an efficient use of task force resources." The FBI stated that Department components exercise sound judgment and cooperate when necessary, but are properly conducting investigations within their respective missions the majority of the time. When two task forces find that they are investigating the same individual, according to the FBI, one "steps aside."

The FBI also objected to two specific examples in the OIG report that dealt with the issue of joint investigations. The first was that of an FBI Safe Streets Task Force supervisor in Gary, Indiana, who told us his task force works firearms cases on its own, rather than turning firearms-related intelligence over to ATF. In its response, the FBI stated that while it investigates firearms violations that may be part of gang and violent crimes investigations, it does not independently investigate felon-in-possession or illegal firearms cases. The FBI stated that it had contacted the supervisor in question and determined that the OIG interview question the supervisor responded to fell in the category of an "umbrella drug investigation," not an investigation specific to firearms violations. The second example involved simultaneous FBI and DEA investigations of a gang in Atlanta. The FBI stated that the example represented effective resolution and good law enforcement partnership rather than poor coordination.

OIG Analysis. The FBI's implication that activity between task forces beyond deconfliction is not an appropriate goal and is an inefficient use of resources is both short-sighted and inconsistent with Department policy, as reflected in the Deputy Attorney General's June 17, 2005, anti-gang activity policy. We believe that the appropriate approach to cooperative efforts between task forces depends on the facts and circumstances of each case. We believe that decisions on the appropriate form of coordination should be made jointly by all the task forces involved and in consultation with the U.S. Attorney. Our report seeks to help improve coordination by recommending the use of processes and systems to facilitate those coordination decisions.

To respond to the FBI's comments about firearms investigations in Gary, Indiana, we added the following statement to the draft report: "The

FBI Safe Streets Task Force Supervisor and task force members said that they do not work with the ATF task force. They said they investigate firearms crimes *discovered during ongoing FBI Safe Streets Task Force investigations* on their own, rather than turn intelligence over to ATF” (emphasis added).

With regard to the Atlanta example, the situation described to the OIG by the FBI Special Agents showed a failure to deconflict law enforcement events. Accepting the FBI’s premise that the existence of two separate investigations was appropriate owing to the differing underlying criminal activities being investigated, this incident still demonstrates the need to deconflict such surveillance activities as well as to better coordinate overlapping investigations between task forces.

APPENDIX XIII: USMS RESPONSE



U.S. Department of Justice

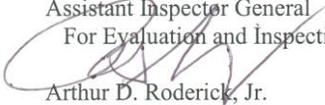
United States Marshals Service

Investigative Services Division

Washington, DC 20530-1000

March 9, 2007

MEMORANDUM TO: Paul A. Price
Assistant Inspector General
For Evaluation and Inspections

FROM: 
Arthur D. Roderick, Jr.
Assistant Director
Investigative Services Division

SUBJECT: OIG Draft Report on Coordination of Department of Justice
Task Force Investigations

The Appropriations Committee directed that the Office of the Inspector General (OIG) assess the coordination of investigations conducted by Violent Crime Impact Teams (VCIT), Mobile Enforcement Teams (MET), Safe Streets Task Forces (SSTF), and the United States Marshals Service (USMS) Regional Fugitive Task Forces (RFTF) in the Conference Report of the Department of Justice's appropriation bill for Fiscal Year 2006. The United States Marshals USMS has concerns with the information in the report specific to the USMS, which are described below.

The USMS feels the review of the selected cities is not representative of task force coordination throughout the United States for lack of sufficient sampling of cities involving USMS task forces to justify the current results of the OIG's review. Therefore, the USMS requests that the OIG consider extending the investigation to include a larger and more diverse sampling of cities.

Philadelphia and Las Vegas were cities used for the review but are not covered by a Regional Fugitive Task Force. As a result, they should not have been included as part of this analysis. Additionally, the nationwide task force arrest data used by the OIG for comparison was drawn from Fiscal Years 2003 – 2005, which should not have included data from Birmingham since the Gulf Coast Regional Fugitive Task Force did not become operational until July 2006.

To determine a sampling of cities, the OIG created a task force locations matrix (Appendix 1) which includes 256 localities. If the analysis includes USMS District Fugitive Task Forces (DFTF) such as Philadelphia, Las Vegas, and Birmingham, then the original matrix data and foundation for the inquiry, is overly limited. The location matrix omits 71 cities with an

existing USMS DFTF, which would have provided a broader and better sampling of locations for the research. Additionally, some of the DFTFs cover an entire federal judicial district, which in some cases cover multiple cities within the matrix.

On page viii, the OIG report states, “We concluded that the task forces were more likely to duplicate another task force’s investigation than to cooperate in a joint investigation.” This statement misrepresents the statistical findings of the OIG’s review of 95,228 arrests made by the components for Fiscal Years 2003 – 2005, where only 768 (less than 8%) were found to have duplicate investigations.

On page 54, reference is made to a Los Angeles case where the USMS and FBI became involved in an investigation to locate a fugitive wanted for the murder of a deputy sheriff. The manner in which this case appears in the OIG report implies a lack of cooperation between the agencies. The report states, “The Regional Fugitive Task Force determined that the fugitive was the subject of an FBI federal warrant, so the USMS advised the District Attorney’s Office that, because of the FBI’s federal warrant, the Regional Fugitive Task Force would not investigate.” It should be noted that after the District Attorney’s Office notified the FBI by letter that their assistance was no longer required, the USMS initiated an investigation as to the whereabouts of the fugitive. We feel that the inference within the OIG report of a lack of cooperation is contrary to the actual facts of the case. The USMS feels that additional investigation by the OIG, an interview with the Los Angeles County District Attorney’s Office, and a review of investigative case files would have provided a more thorough analysis and understanding of this matter, and demonstrated cooperation.

Throughout the draft report, references are made to quotes from individuals interviewed as part of the inspection. USMS recommends that all quotes and statements (i.e. FBI Special Agent comments on page 57) be removed from this report as they have little or no relevance to the issue of coordination.

The USMS also recommends that the OIG and the Office of the Deputy Attorney General (ODAG) review the findings of the DOJ Fugitive Apprehension Report, dated September 14, 2004. The report was prepared in response to an FY 2004 Appropriations Committee request, and states the following:

“The Department of Justice recognizes the need to utilize the resources and specialties of other federal, state, and local law enforcement agencies in a coordinated and comprehensive manner. The Department of Justice recognizes the importance of eliminating duplicative functions and providing state and local law enforcement a single point of contact for specific investigative matters. The Department of Justice has designated the FBI as the coordinating agency in combating terrorism, through its Joint Terrorism Task Forces. Likewise, the USMS has been designated as the lead agency for coordinating fugitive investigations that are conducted through its RFTF and district-managed task forces, except in those fugitive cases where another agency has been designated as the lead investigative agency.”

In accordance with the above statement from the Department of Justice report to Congress on fugitive apprehension, the USMS believes the ODAG should consider issuing formal guidance that SSTF should only act as the lead agency on state and local fugitive cases for investigations which originate from within an SSTF.

The OIG report states that “as a result of the lack of Department policies requiring coordination, the components’ coordination of task force investigations was inadequate. Some components created nationwide policies on coordinating task force operations, while others did not make significant efforts to coordinate task force operations with other Department components. ATF, DEA and USMS headquarters managers made some effort to require their task forces to coordinate their operations with other components.”

In accordance with USMS policy, a district must obtain the approval of the local U.S. Attorney for USMS participation in any task force which targets the apprehension of state and/or local fugitives. Additionally, prior to the establishment of the six (6) USMS Regional Fugitive Task Forces, senior managers from the USMS coordinated with the U.S. Attorney Offices, and provided them with a mission statement for the task force.

The Investigative Services Division (ISD) of the USMS appreciates the opportunity to comment on the findings and draft report. We look forward to working with the Office of the Inspector General as part of future endeavors.

APPENDIX XIV: OIG ANALYSIS OF THE USMS RESPONSE

The USMS provided written comments to the OIG draft report in a memorandum dated March 9, 2007. In addition, as noted above, in a memorandum dated March 23, 2007, the Office of the Deputy Attorney General concurred with the report's four recommendations on behalf of the Department.

The USMS commented on five areas of the report and on the allocation of fugitive apprehension responsibilities within the Department. We address each of these issues below.

Site Visits

Summary of the USMS Response. The USMS commented that the OIG's review of eight selected cities is not representative of USMS task force coordination throughout the United States because of what USMS regards as insufficient sampling. The USMS noted that we included three cities that did not have Regional Fugitive Task Forces at the time of our review – Birmingham, Las Vegas, and Philadelphia. Instead, the OIG included information on USMS District Fugitive Task Forces operating in those cities. The USMS stated that it has District Fugitive Task Forces operating in 71 other cities and that these sites would have provided a “broader and better sampling of locations.”

OIG Analysis. We disagree with the USMS assertion that the report should have included a greater number of USMS District Fugitive Task Forces. Examining a greater number of USMS District Fugitive Task Forces would have significantly expanded the scope of the review beyond Congress's request and would have lengthened the time period for this review.

Pursuant to congressional direction, the OIG focused on USMS Regional Fugitive Task Forces and included seven cities with these task forces. However, we also included the activities of District Fugitive Task Forces in three cities for the reasons that follow. We included the USMS District Fugitive Task Force in Birmingham because a Regional Fugitive Task Force was created there during our fieldwork. We included the USMS District Fugitive Task Force in Philadelphia because it operates in the same metropolitan area as the Regional Fugitive Task Force in Camden, New Jersey, just across the Delaware River. We included the USMS District Fugitive Task Force in Las Vegas because a Deputy

Marshal in Las Vegas is specifically assigned to assist with Pacific Southwest Regional Fugitive Task Force investigations.

Nation-Wide Arrest Data

Summary of the USMS Response. The USMS stated that it disagreed with our report’s statement that “the task forces were more likely to duplicate another task force’s investigation than to cooperate in a joint investigation.” The USMS commented that this statement misrepresented the statistical findings of the OIG review of arrests made by the components’ violent crime task forces because the duplicate investigations represented less than 1 percent of the task force arrests.

OIG Analysis. Regarding the USMS’s objection to a statement that task forces were more likely to conduct duplicate than joint investigations, we note that the quoted material was contained in a working draft of the report, but not in the formal draft or in this final report. In the formal draft and in the final report we state, “Nonetheless, our analysis of arrests that were reported by more than one component demonstrated that the task forces were more likely to duplicate another task force’s investigation than to cooperate in a joint investigation.” This makes it clear that our conclusion represents only the findings of our analysis of 1,288 duplicate arrests.

The USMS conclusion that the 768 duplicate investigations we identified among the 1,288 duplicate arrests we examined represent all of the duplicate investigations among the 97,228 arrests made by the task forces is incorrect. It is based on the faulty assumption that, because none of the other 95,940 arrests were reported by more than one task force, none of the individuals arrested were being investigated by more than one task force. In fact, instances in which task forces had been investigating the same individual were reported to us during our review by Deputy Marshals and Special Agents. When such duplications of effort were identified, one task force generally ceased its investigation.

Los Angeles Coordination Example

Summary of the USMS Response. The USMS said that the OIG referenced a Los Angeles case in which the USMS and the FBI became involved in an investigation to locate a fugitive wanted for the murder of a deputy sheriff. The USMS stated that the manner in which this case appears in the OIG report implies a lack of cooperation by the USMS, which is contrary to the facts of the case. The USMS stated that if the OIG had contacted the Los Angeles County District Attorney’s Office or had reviewed the case files, it would have had a more thorough

understanding of this matter that would have demonstrated the USMS's cooperation.

OIG Analysis. The OIG examined the Los Angeles case because the USMS provided a written description of it as one of several examples of fugitive investigations in which coordination issues arose between the USMS and the FBI. The USMS description included an explanation of the role of the Los Angeles County District Attorney's Office. We interviewed USMS and FBI personnel in Los Angeles about this investigation and confirmed that there had been a lack of coordination in this case. The USMS provided documentation of its coordination with local law enforcement on this case, but there were differences of opinion between the USMS and the FBI regarding who should have been the lead component in this investigation. Consequently, even if the Los Angeles County District Attorney's Office confirmed that the USMS cooperated, there were still coordination issues between the USMS and the FBI.

Use of Deputy Marshal and Special Agent Statements

Summary of the USMS Response. The USMS stated that throughout our report references are made to quotes from individuals interviewed as part of the review that have little or no relevance to the issue of coordination.

OIG Analysis. As noted above, we included opinion statements from Special Agents, Deputy Marshals, and local task force members to demonstrate the prevailing attitudes and perceptions regarding coordination with other components. We asked individuals we interviewed for their opinion, and we presented the opinions in context and accompanied by the position, title, or duties of the person expressing the opinion. When individual statements related to factual matters, such as descriptions of blue-on-blue incidents, we presented comments from other individuals involved in order to provide a complete description of what occurred. The OIG believes the comments are relevant to the issue of task force coordination. These comments, both positive and negative, reflected the coordination efforts of the task forces in the cities we visited.

Adherence to Internal USMS Policy

Summary of the USMS Response. The USMS stated that USMS policy requires a district to obtain the approval of the local U.S. Attorney for USMS participation in any fugitive task force. The USMS also stated that prior to establishing the Regional Fugitive Task Forces, senior USMS managers coordinated with the U.S. Attorneys' Offices and

provided them with a mission statement for the task forces.

OIG Analysis. The USMS comment does not identify any disagreement with the report. We reported that the USMS put its own policies in place for coordinating task force operations, particularly the Memorandums of Understanding between the USMS and the DEA and the USMS and ATF. We also reported on the remaining coordination issues between the FBI and the USMS based on the operations of the six Regional Fugitive Task Forces and the FBI Safe Streets Task Forces.